
THE LIBRARY OF CONGRESS
1800

State Republican Campaign Book

AND

The Popular "Old Politician's" Letters.

A True Analysis of Missouri Democratic Government
Facts and Figures Based on Official Records

Wherein the State Constitution Has Been Violated
By Whom, the Motive and the Consequences

You Say: "SHOW ME?"

"WE WILL!"

1. Nesbitism and Tammanyism.	1. Misapplication of the State School Fund.
2. Ballot Box Stuffing and Non-contestible Elections.	2. Misappropriation of the State Interest and Revenue Funds.
3. Discredited Democracy Saved by Municipal Machines.	3. Indirect or Unlimited Taxation.
4. Famous and Infamous Cardwell Case.	4. State Treasury Used as a Lobby Fund.

What Will We Do About It?

This Book Will Show You!!

State Republican Campaign Book

AND

The Popular "Old Politician's" Letters.

A True Analysis of Missouri Democratic Government
Facts and Figures Based on Official Records

Wherein the State Constitution Has Been Violated
By Whom, the Motive and the Consequences

You Say: "SHOW ME?"

"WE WILL!"

1. Nesbitism and Tammanyism.
2. Ballot Box Stuffing and Non-contestible Elections.
3. Discredited Democracy Saved by Municipal Machines.
4. Famous and Infamous Cardwell Case.

1. Misapplication of the State School Fund.
2. Misappropriation of the State Interest and Revenue Funds.
3. Indirect or Unlimited Taxation.
4. State Treasury Used as a Lobby Fund.

What Will We Do About It?

This Book Will Show You!!

STATE

Republican Campaign Book

AND

The Popular "Old Politician's" Letters.

CONTAINING OFFICIAL DATA, CAREFULLY PRESERVED AND COMPILED, SHOWING HOW THE CONSTITUTIONAL LIMITATIONS ON THE STATE LEGISLATURE'S POWER TO TAX, TO APPROPRIATE THE PEOPLE'S MONEY AND TO CREATE DEBT HAVE BEEN PERVERTED, EVADED, IGNORED AND PERSISTENTLY VIOLATED BY SUCCESSIVE DEMOCRATIC ADMINISTRATIONS FOR NEARLY THIRTY YEARS, AND WHAT THESE ABUSES OF POWER COST THE PEOPLE.

COMPILED AND EDITED BY

E. C. BROKMEYER,

LATE JEFFERSON CITY STAFF CORRESPONDENT OF THE ST. LOUIS GLOBE-DEMOCRAT.

EDITORIAL AND BUSINESS OFFICES.
FULLERTON BUILDING,
ST. LOUIS, MO.

c1902

FORWARD AND EVER READY TO STRIKE

PREFACE.

TO THE PUBLIC:

The editor undertakes to tell the truth in this book. It is not a small or easy task to furnish information about the administration of the state government based upon official records when such records are either incomplete or not available. Consequently the contents of this book must be accepted with a due appreciation of and regard for these facts.

Serious charges have been boldly made against Democratic state administrations. They have been proved by official records, such as are available, prepared and published under oath by Democratic officials.

The editor conceives it to be the first duty of an American citizen to inform himself thoroughly as to the laws by which he is governed, the manner and motive of their making, their interpretation by the constituted authorities and their execution.

If the editor has succeeded in giving even a hint as to the maladministration of public affairs in Missouri, and that hint becomes generally appreciated in all the counties and cities of the state, he will feel that his work has not been in vain and that he has done himself, the Republican party and the public at large a good service.

Sincerely yours,

E. C. BROKMEYER.

TABLE OF CONTENTS.

THE "OLD POLITICIAN'S" LETTERS.

VIOLATION OF THE CONSTITUTION.

Officially Recorded Evidence Against the Three Co-ordinate Branches of the State Government.

LEGISLATIVE DEPARTMENT.

1.—Taking money out of the state treasury without an appropriation and without the state auditor's warrant.

2.—Appropriating money out of the order prescribed by the constitution.

3.—Authorizing the collection of special taxes.

4.—Authorizing the investment of the school and seminary fund in violation of the constitution.

5.—Authorizing the issuance of certificates of indebtedness.

EXECUTIVE DEPARTMENT.

1.—Making and vouching for official reports not containing a complete record of all the financial transactions of the state government, and hence "false reports."

2.—Using sacred state trust funds and authorizing their use for purposes other than those for which they were specifically created and are maintained.

3.—Authorizing money to be withdrawn from and taking it out of the state treasury without a "regular appropriation made by law" and without an "auditor's warrant."

4.—Permitting and ordering laws to be abused instead of "faithfully executed" by state boards and appointees in large cities.

5.—Approving and signing legislative acts unconstitutional in themselves.

JUDICIAL DEPARTMENT.

1.—Ruling that elections in any part of the state are non-contestible.

2.—Sustaining special tax laws and police and election acts designed to disfranchise qualified voters.

STATE GOVERNMENT'S POLICY.

PLATFORM AND ACTS SUBSTITUTING UNLIMITED FOR LIMITED TAXATION.

Cause of Mismanagement of State Institutions and Control of the Legislature by the Lobby.

Significance of the policy announced in the Democratic state platform of 1900 of substituting by special laws indirect or unlimited taxation for the constitutional direct or limited taxation.

What the proposed constitutional amendment legalizing school certificates of indebtedness and imposing a perpetual tax of 3 cents on the hundred means.

How the distribution of state institutions in various sections of Missouri has destroyed effective control of the management thereof.

How the distribution of state institutions has resulted in the conversion of the legislature into a tool of the lobby.

How the distribution of state institutions has resulted in the centralization of control of party conventions in the hands of the state administration.

How this vicious system could be changed and its resulting evils cured.

CONSTITUTION VIOLATED.

DEMOCRATIC LEGISLATURES IGNORED THE PEOPLE'S SUPREME LAW FOR EIGHTEEN CONSECUTIVE YEARS.

Took Money Out of the State Treasury Without a Regular Appropriation by Law.

Appropriated the People's Money Out of the Order Prescribed by the Constitution.

It is charged in the opening pages of this book that the legislative department of the state government has persistenly violated the constitution of Missouri.

"First, in taking money out of the state treasury without an appropriation by law and without the state auditor's warrant;

"Second, by appropriating money out of the order prescribed by the constitution."

The proof follows; it is official:

STATE CONSTITUTION.

Limitation on Legislative Power.

Section 43, Article 4. All revenue collected and moneys received by the state from any source whatsoever, shall go into the treasury, and the general assembly shall have no power to divert the same or to permit money to be drawn from the treasury, except in pursuance of regular apropriations made by law. All appropriations of money by the successive general assemblies

HOUSE AND SENATE JOURNAL EXTRACTS.

Offered by Senator Hutt, January 13, 1883:

"Resolved, That the state treasurer be authorized to take up warrants issued to members of the senate for mileage and stationery, and also for necessary mileage in going to and returning from the general assembly;" which was read and adopted. Senate Journal (1883), page 97.

[By vote of the senate, under suspension of the rules, the word "warrant"

shall be made in the following order:

First—For the payment of all interest upon the bonded debt of the state that may become due during the term for which each general assembly is elected.

Second—For the benefit of the sinking fund, which shall not be less annually than $250,000.

Third—For free public school purposes.

Fourth—For the payment of the cost of assessing and collecting the revenue.

Fifth—For the payment of the civil list.

Sixth—For the support of the eleemosynary institutions of the state.

Seventh—For the pay of the general assembly, and such other purposes not herein prohibited, as it may deem necessary; but no general assembly shall have power to make any appropriation of money for any purpose whatsoever, until the respective sums necessary for the purpose in this section specified have been set apart and appropriated, or to give priority in its action to a succeeding over a preceding item as above enumerated.

LEGISLATIVE PROCEEDINGS.

Sec. 23, Art. 4.—No law shall be passed, except by bill, and no bill shall be so amended in its passage through either house, as to change its original purpose.

Sec. 26.—Bills may originate in either house, and may be amended or be rejected by the other; and every bill shall be read on three different days in each house.

Sec. 27.—No bill shall be considered for final passage unless the same has been read in the above resolution was made to read "certificate." Page 98.]

Offered by Mr. Parker, January 12, 1883:

"Resolved, That the state treasurer be authorized to take up warrants issued to members for mileage and per diem, and stationery accounts;" which was read and adopted—House Journal (1883), page 123.

Offered by Mr. Dawson, January 15, 1883:

"Resolved, That the state treasurer be requested to pay the certificates issued by committee on accounts to the elective officers, clerical force, pages and laborers employed by the house;" which was read and adopted.—House Journal (1883), page 135.

H. B. 666, appropriation bill, passed March 31, 1883.

Offered by Senator Britts, January 16, 1885:

"Resolved, That the state treasurer be requested to take up warrants issued to members of the senate for stationery; also, for mileage and per diem for time necessary in going to and returning from this session of the general assembly;" which was adopted.—Senate Journal (1885), page 120.

Offered by Senator Britts, January 20, 1885:

"Resolved, That the treasurer be requested to pay the clerks and employes of the senate such amounts as may be due them from time to time, properly certified by the chairman of the committee on accounts;" which was read and adopted.—Senate Journal (1885), page 134.

ported upon by a committee and printed for the use of the members.

Sec. 31.—No bill shall become a law, unless on its final passage the vote be taken by yeas and nays, the names of the members voting for and against the same be entered on the journal, and a majority of the members elected to each house be recorded thereon as voting in its favor.

Sec. 36.—No law passed by the General Assembly, except the general appropriation act, shall take effect or go into force until ninety days after the adjournment of the session at which it was enacted, unless in case of an emergency (which emergency must be expressed in the preamble or in the body of the act), the General Assembly shall, by a vote of two-thirds of all the members elected to each House, otherwise direct; said vote to be taken by yeas and nays, and entered upon the journal.

Sec. 42.—Each House shall, from time to time, publish a journal of its proceedings, and the yeas and nays on any question shall be taken and entered on the journal at the motion of any two members. Whenever the yeas and nays are demanded, the whole list of members shall be called, and the names of the absentees shall be noted and published in the journal.

Offered by Mr. Harrison, January 16, 1885:

"Resolved, That the state treasurer be authorized to take up warrants issued to members for mileage and per diem, and stationery accounts;" which was laid over one day, on motion Mr. Shields. — House Journal (1885), page 139.

Mr. Garver offered the following substitute, January 17, 1885:

"Resolved, That the state treasurer be requested to honor certificates of members and employes of the house;" which was adopted. —House Journal (1885), page 162.

No record in session acts as to when appropriation bill passed.

Offered by Mr. Newman, January 14, 1887:

"Resolved, That the state treasurer be requested to pay members of the house their mileage, stationery and per diem upon the certificates of the committee on accounts, certified to by the state auditor, and also pay employes their per diem on certificates of said committee;" which was adopted.—House Journal (1887), page 160.

Appropriation bill passed March 21, 1887.

Offered by Mr. Smith of St. Clair, January 8, 1889:

"Resolved, That a temporary committee of three be appointed to audit and allow the claims of the members of the house, their per diem, mileage and stationery, and that the state treasurer be requested to pay members of the house and employes upon the certificate of said committee, certified by the auditor;" which was adopted.—House Journal 1889, page 28.

Appropriation bill passed April 29, 1889.

Offered by Mr. Abraham, January 9, 1891:

"Resolved, That a temporary committee of three be appointed to audit and allow the claims of the members of the house for their per diem, mileage and stationery, and that the state treasurer be requested to pay members of the house and employes upon the certificate of said committee, certified by the auditor;" which was adopted.—House Journal (1891), page 22.

Appropriation bill passed Senate March 16, 1891. No other record.

Offered by Mr. Black, January 6, 1893:

"Resolved, That the temporary committee of three be appointed to audit and allow the claims of members of the house for their per diem, mileage and stationery, and that the state treasurer be requested to pay members of the house and employes upon the certificate of said committee, certified by the auditor."

Mr. Smith of Pike offered the following substitute, which was adopted:

"Resolved, That the temporary committee on accounts be authorized to audit the claims of the members of the house for their per diem, mileage and stationery, and that the state treasurer be requested to pay members of the house upon the certificate of said committee, certified by the auditor."—House Journal (1893), page 21.

Appropriation bill missing.

Offered by Senator Yeater, January 9, 1895:

"Be it resolved, That the state treasurer be directed to pay all certificates issued by the committee on accounts for the mileage, per diem, including days coming and going, and stationery of the members of the senate, when certified by the state auditor;" which was read and adopted.—Senate Journal (1895), page 32.

Offered by Mr. Schooler, January 7, 1895:

"Resolved, That a temporary committee on accounts, consisting of three members, be appointed by the speaker of this house, and said committee be authorized to audit the claims of the members for their per diem, mileage and stationery; and that the state treasurer be requested to pay members of the house upon the certificate of said committee, when certified to by the state auditor:" which was read and adopted.—House Journal (1895), page 21.

Appropriation bill passed March 20, 1895.

Offered by Senator Morton (by request), January 11, 1897:

"Resolved, That the state auditor be requested to verify and the state treasurer to pay the lieutenant-governor's certificate issued by the committee on accounts to the officers, members and employes of the senate of the Thirty-ninth general assembly, including the temporary clerical force of the senate until the passage of the bill appropriating money for pay and contingent expenses of this general assembly;" which was read and adopted.—Senate Journal (1897), page 21.

Offered by Mr. Dorsett, January 11, 1897:

"Resolved, That the state auditor be requested to verify and the state treasurer to pay the speaker's certificates issued by the committee on accounts to the officers, members and employes of the house of representatives of the Thirty-ninth general assembly, until the passage of the bill appropriating money for pay and for contingent expenses of this general assembly;" which was read and adopted.—House Journal (1897), page 32.

Appropriation bill passed Senate March 18, 1897. No other record.

Offered by Senator Hohenschild, January 9, 1899:

"Resolved, That the state auditor be requested to verify, and the state treasurer to pay, the lieutenant-governor's certificates issued by the committee on accounts to the officers, members and employes of the senate of the Fortieth general assembly, including the temporary clerical force of the senate, until the passage of the bill appropriating money for pay and contingent expenses of the general assembly; and, further, be it

"Resolved, That the president of the senate appoint a temporary committee of three to audit and issue warrants for the stationery, per diem and mileage of the members of the senate of the Fortieth general assembly;" which was read and adopted.—Senate Journal (1899), page 12.

Offered by Mr. Rutledge, January 9, 1899:

"Resolved, That the state auditor be requested to verify, and the state treasurer to pay, the speaker's certificates, issued by the committee on accounts to the officers, members and employes of the house of representatives of the Fortieth general assembly, until the passage of the bill appropriating money for pay and contingent expenses of this general assembly;" which was read and adopted.—House Journal (1899), page 21.

Appropriation bill passed April 24, 1899.

The same resolutions were adopted by both houses of the 41st general assembly, or the legislature that met in January, 1901.

The appropriation bill was passed March 16, 1901, two days before final adjournment. Moreover, resolutions were put through each house, requesting the state auditor to "approve" and the state treasurer to "honor" the "requisitions of the proper officers" of state eleemosynary and penal institutions "for moneys with which to defray expenses for maintenance and officers' salaries until the approval of the appropriation bill," all in plain violation of the organic law of Missouri. The consequences of this and the cost to

the people will be explained entertainingly and instructively at the close of this chapter, the official records, as far as available, being presented first.

ADDITIONAL VIOLATIONS.

Appropriation of Money Out of Order Prescribed by Constitution.

The foregoing record proves the truth of the first charge, that successive Democratic legislatures persistently violated the constitution "in taking money out of the state treasury without an appropriation by law and without the state auditor's warrant." Officially recorded proof of the truth of the second charge, that the constitution was repeatedly violated by Democratic legislatures "appropiating money out of the order prescribed by the constitution," follows:

Constitution.

The state constitution of Missouri, article 4, under a caption, reading, "Limitation on Legislative Power," provides as follows:

Section 43. All revenue collected and moneys received by the state from any source whatsoever shall go into the treasury, and the general assembly shall have no power to divert the same, or to permit money to be drawn from the treasury, except in pursuance of regular appropriations made by law. All appropriations of money by the successive general assemblies shall be made in the following order:

1. For the payment of all interest upon the bonded debt of the state that may become due during the term for which each general assembly is elected.

2. For the benefit of the sinking fund, which shall not

Journal.

The Forty-first general assembly, overwhelmingly democratic in both branches, passed the various appropriation bills in the following order, according to the house and senate journals as they appeared last March:

1. House bill 228, appropriating money for the support of the public schools, and house bill 229, appropriating money to defray the cost of assessing and collecting the revenue, passed on February 1.

2. House bill 227, appropriating money for the payment of the interest on the bonded indebtedness of the state, passed February 1: house concurs in senate amendments February 12.

3. House bill 467, appropriating money for the support, maintenance, repairs and improvement of elecmosynary and penal institu-

be less annually than $250,000.

3. For free public-school purposes.

4. For the payment of the cost of assessing and collecting the revenue.

5. For the payment of the civil list.

6. For the support of the eleemosynary institutions of the state.

7. For the pay of the general assembly, and such other purposes not herein prohibited, as it may deem necessary; **but no general assembly shall have power to make any appropriation of money for any purpose whatsoever until the respective sums necessary for the purposes in this section specified have been set apart and appropriated, or to give priority in its action to a succeeding item, as above enumerated.**

tions of the state; passed March 9;; no date given as to the adoption of the conference report, which was agreed to by both houses Saturday night, March 16, the closing of the season.

4. House bill 593, appropriating money for the support, maintenance and improvement of educational institutions of the state; passed March 11; conference report adopted March 14.

5. House bill 418, appropriating money to pay the deficiencies in the expenses of the state government for the years 1899 and 1900; passed March 13; senate amendments concurred in by the house on March 16 (Saturday night).

(Then follow in the official record these bills in the order named, although being recorded as having passed, or the conference reports as having been adopted on March 16, it is impossible to learn the exact order in which final passage was effected, especially when it is remembered that March 16 included both Saturday and Sunday.)

House bill 230, appropriating money to pay salaries of civil officers; passed March 14; conference report adopted March 16.

House bill 609, appropriating money for the support of the state government, the payment of the contingent and incidental expenses of the state departments, the public printing, and for the payment of certain other claims against the state, for which no other appropriation had been made for the years 1901 and 1902; passed March 13; conference report adopted March 16.

House bill 334, appropriating money for the pay of mileage and per diem of the officers and members and contingent expenses of the Forty-first general assembly; passed March 16.

The bill appropriating money for the payment of the interest on the bonded indebtedness of the state, which the constitution expressly provides shall be passed first, was passed on February 12, the senate amendments not having been concurred in by the house until that date. Both the bill appropriating money for the public schools and to defray the cost of assessing and collecting the revenue, which the constitution provides shall be passed after the ap-

propriation bill providing for the interest on the bonded indebtedness, were passed before it. Reference to the foregoing record will show many other violations of the mandate of the constitution prescribing the order (**and no other**) in which the people's money shall be appropriated.

EVOLUTION OF THE LOBBY.

Violations of the Constitution Have Not Been "Technical," but Most Vital and Costly.

The violations of the constitution proved are not "technical." They were and are vital in their nature, as will be herein demonstrated. As a preliminary, the editor presents a scene illustrating just how and where and by whom the constitution has been violated and for what purpose.

SCENE I.

The two houses of the general assembly have been organized a day or two, and log-rolling for the positions of clerks, pages, spitton-cleaners, superintendents of heating and ventilation, custodians of the cloak-room, messengers, messengers' clerks, etc., etc., etc., etc., without end, is brisk, when bright and early, or as soon as the state auditor's office is opened for business, in steps a member of the legislature with an air of some importance. He hangs the upper half of his corporosity upon the auditor's table. Leaning upon one elbow, he dives down into his pants' pocket, brings out a piece of crumpled paper, places it upon the table, irons it with his other hand until it is recognizable as his pay account or certificate for mileage, stationery and per diem for a day or two, properly verified by the house of which he is a member.

"See here, Jim," (it was "Jim" when Seibert was state auditor—for 12 years), addressing the auditor with slovenly familiarity, "they tell me that you have to put your fist to that before it will fetch the stuff out of the state treasury—how is that?"

"Yes, Sam," replies the auditor, "I have to give you a warrant for this, but, you see, it is not time yet. Under the state constitution and laws we can

not pay out a penny until the appropriation bill is passed and has become a law, and it has not even been introduced yet."

"What's that? Appropriation bill! And the constitution says that?"

"Dead square fact, Sam!"

"Constitution be damned! I want my money—the cash I paid out in traveling expenses to get up here to this robbers' roost! Damn me, Jim, if they didn't clean me out last night! Up our way they think I know a Jack from a ten-spot, but I tell you what's a fact, they not only made me look cheap, but feel cheap. And you say there is no chance to get what is coming to me on that—no way at all?"

SCENE II.

The auditor moves quietly around to the left of his table, takes Sam by the elbow and advances to his private office—an ante-room looking out on to the east entrance to the statehouse. The tone of the auditor's voice changes to an audible whisper, indicating to Sam intuitively that they have been transacting public business and have entered upon a little private transaction strictly between themselves, brought about by the query of Sam—"Is there no other way to the state treasury than the constitutional or legal one?" After beating around the bush, pumping his prospective friend dry of his knowledge of the political situation in the part of the state where he resides, the auditor's voice drops still lower, from fairly to barely audible, as he enters upon an answer to Sam's question, which, because of the circumstances that Jim brings his lips almost in contact with Sam's auricle, prevents us from reporting the conversation further. This ear-kissing ended, they start back into the public office and the interview is resumed in ordinary tone of voice. In less than two minutes, Sam steps down the hall of the capitol to the state treasurer's office with a pay certificate "O. K'd" by the state auditor for the amount of the claim presented and draws his pay—unless, perchance, some one-armed ex-confederate should happen to be treasurer—some luckless fellow who never knew anything but to do his duty, and do it well, in whatever situation he might be placed—that armless sleeve dangling from his shoulder being an impressive symbol of duty honorably performed in the battle of life. (See Capt. F. L. Pitts' history.) If one of these should happen to have been behind the state treasurer's counter, Sam would have been disappointed. There can be no fondling of such—ear-kissing does not go. This case, however, is an exception—the exception—and the rule is that Sam gets his money. Another rule, to which there is no exception, is that the armless sleeve is sat upon by the next democratic state convention.

THE "PAY CHECK" SCANDAL.

But the pay certificate "O.K'd." by the state auditor presented to the state treasurer by "Sam"! Is this an "auditor's warrant," provided for by the constitution? Let's see. It is this pay account with the state auditor's "O.K." on the back that is honored by the state treasurer and is kept by him as a voucher until the appropriation bill becomes a law. As soon as this event transpires the auditor redeems this voucher, this pay account, with a warrant bearing the date of its issue, and thus the stubs of the warrant book in the auditor's office show up all right. According to this, no warrant was issued in violation of the provisions of the state constitution, which says:

"All moneys in the state treasury shall be disbursed by said treasurer for the purposes of the state, according to law, upon warrants drawn by the state auditor, and not otherwise."—State Constitution, Article 10, Section 15.

Yes, the books show up all right, but what about the facts? Are they a true record of the transactions which they purport to witness? Is this warrant that purports to authorize the disbursement of state funds a true entry when these very funds were disbursed months ago without the warrant either of law or the constitution? These books bear witness that the members of the general assembly were paid at a time when in truth and fact they were not paid; that they were paid upon auditor's warrants when they were paid upon an "O.K" account, and when the legislators neither saw nor handled a warrant; that they were paid in accordance with the constitution and laws of the state, when in truth and fact they were paid in flagrant disregard and known violation of both.

And these books were thus kept to bear this false testimony because their keepers knew that they were violating their oaths of office and that their own

books would convict them of the crime if they were truthful records of the financial transactions of the executive department of the state of Missouri, as required by section 22, article 5, of the constitution:

"An account shall be kept by the officers of the executive department of all moneys and choses in action disbursed, or otherwise disposed of by them severally, from all sources and for every service performed; and a semi-annual report thereof shall be made to the governor under oath. And any officer or manager who at any time shall make a false report shall be guilty of perjury and punished accordingly."

THE FALL OF LAWMAKERS.

These scenes are sketched in general outline. They are not intended as presenting the invariable occurrence in each and ever case. They present merely the general norm, modified in actual presentation to suit the individual case in question. But while the application varies, the result is invariable. Every legislator who enters that private office finds means to convince the auditor that he is entitled to his wad, in spite of the law and constitution.

But a week ago Sam arrived at Jefferson City as a member-elect of the general assembly. He presented his credentials. They were accepted. He was sworn in. He took the following solemn oath:

"I do solemnly swear [or affirm] that I will support the Constitution of the United States and of the State of Missouri, and faithfully perform the duties of my office; and that I will not knowingly receive, directly or indirectly, any money or other valuable thing, for the performance or nonperformance of any act or duty pertaining to my office, other than the compensation allowed by law."—STATE CONSTITUTION, Art. 4, Sec. 15.

This completed his right to be called and known in the community as the "honorable member" from ——— county or district. As such "honorable member," which ought certainly include the title of "hon-

orable man," he came to the auditor's office, and he leaves it as what?

He came after swearing an oath, the sacred obligation of which was fealty to the supreme law of the state—the constitution. He is truly informed as to what the constitution provides in regard to the transaction pending—namely, that

"No moneys shall ever be paid out of the treasury of this state, or any of the funds under its management, except in pursuance of an appropriation by law," etc.—STATE CONSTITUTION, Art. 10, Sec. 19.

The legislator's hand has scarcely ceased quivering from swearing the oath that made him recognized as an "honorable member" when he violates that oath, and with his own hand signs himself "dishonorable." He has sold himself to the Devil—the self-styled, egg-sucking, sand-bagging lobby—and signed the bond. Henceforth he is the tool of that lobby. He beats the bush while the boss catches the bird. He raises thunder for the boss to sell umbrellas. He sandbags the victim while the boss takes the purse. He entered the auditor's office an honorable man. He leaves it a perjurer. So says the constitution. Read!

"Any member of either house refusing to take said oath or affirmation, shall be deemed to have thereby vacated his office, AND ANY MEMBER CONVICTED OF HAVING VIOLATED HIS OATH OR AFFIRMATION, SHALL BE DEEMED GUILTY OF PERJURY, AND BE FOREVER THEREAFTER DISQUALIFIED FROM HOLDING ANY OFFICE OF TRUST OR PROFIT IN THIS STATE."—STATE CONSTITUTION, Art. 4, Sec. 15.

"SAM" FOLLOWS "JIM'S" EXAMPLE.

In the extracts from the journals of the two houses of the general assembly, published heretofore, we see Sam as fully developed as the up-to-date typical member of either the house or the senate. That self-

reliant swagger with which he entered the auditor's office years ago, and which was recognized by the experienced eye of Jim as very promising raw material, has been elaborated into the finished product, which for cool impudence and barefaced audacity challenges the world.

Years ago Sam was taught by Jim that the taking of people's money without their consent, especially when you had sworn not to do so, was a transaction requiring secrecy, could only be treated of in whispers—"a sacred, private matter, strictly between you and me, Sam." But as Jim's activity extended this private matter to Bill, Jake, John, etc., Sam soon became typical of a majority of the house of which he is a member, and as such, what use is there for privacy? "Besides, didn't Jim treat me rather shabbily? In dividing the swag, he got the turkey, I the feathers—every time. Where is the sense in us slipping down to his office asking favors —putting ourselves under obligation? I'll show him a trick worth two of that. If he has the right to authorize the treasurer to pay out money without an appropriation, what is the matter with us—with this house?" And the result is, he introduces the resolution reproduced hereafter.

It is true, this resolution has no legal value whatever. It can neither add nor take one iota from the duties devolving upon the state executive department. It is the action of one house, and not the action of the general assembly. Again, if it were the action of the general assembly it would still be inadequate to this end. For the constitution says, in section 14, of article 5: "Provided, that no resolution shall have the effect to repeal, extend, alter or amend any laws."

Legally, therefore, these resolutions are nothing more than so many requests, prepared by each house,

on its own behalf, that the members of the executive department—auditor and treasurer—would be pleased to join the respective house that makes the request, in perpetrating the crime against the people of violating the constitution; of violating their oaths of office; of becoming perjurors in the eye of that constitution and the people whose fiat made it the supreme law of the state.

And did these officers comply with these requests? Did they join the two houses in this conspiracy against the treasury of the people?

PROOF OF GUILT.

To this question we have no answer based upon recorded evidence accessible to us, except what is contained in the series of requests itself. It is hardly probably that house after house, senate after senate, would repeat the same identical request, session after session, if they had not found a ready compliance, nor is there any reason for the false entries in the auditor's books, as herein explained, except to cover up this compliance. The recorded evidence, inaccessible, is contained in the books of the committee on accounts of the two houses, and in the accounts themselves, privately O. K.'d by the auditor, subsequently redeemed from the treasurer and which are held by him as vouchers until final settlement, when they are burned.

But what can be the motive of the members in preferring these requests? Have they not the power to pass the appropriation bill at any time and altogether at their own pleasure?

Most undoubtedly they have that power. Ten days after the two houses are organized, the general appropriation bill can be a law if the members are inclined to obey the spirit and letter of the charter, of

their official existence, respect their oaths of office, or simply do what they have sworn to do.

Why, then, do they not merely ignore, but utterly pervert every safeguard which the people have thrown around their treasury? We say "pervert," for while the constitution provides that the pay of the general assembly shall be the last item of public expenditure to be provided for, these resolutions make it the first; while the constitution provides that the general assembly "shall have no power to permit money to be drawn from the treasury, except in pursuance of regular appropriations made by law," these resolutions do not merely permit, but actually request that the money be disbursed without appropriation by law. They do not merely ignore, but pervert, and this not by placing the will of the general assembly, but that of each house, in the place of the will of the people; thus sweeping away all the safeguards thrown around legislative action as well. For "appropriation by law" means what? It means that bills making the appropriation have been read on three different days in each house; have been considered by a committee; have been printed for the use of the members; have received a majority of the votes of the members elected to each house, and that this majority vote appears upon the journals of these houses, together with the signature of the presiding officer in testimony of these facts. These are the constitutional requirements that transform a bill into a law, so far as the two houses of the general assembly are concerned.

A STARTLING RECORD.

In lieu of this we have the record:

Mr. —— introduced the following resolution, which was read and adopted:

Amen! How pertinent, short and sweet!

Of the three co-ordinate powers—house, senate and

governor—whose deliberate action is necessary to pass a law, these resolutions received the attention of one house; in lieu of the affirmative vote of the majority of the members elected to that house, they received the vote of a majority of the members present; and in lieu of the names of the members who voted for and adopted the resolution, we have the simple memorandum: "The resolution was read and adopted."

Independent, therefore, of the criminal purpose of the resolution, the action intended to give them validity involves not less than three additional and distinct violations of the supreme law of the state; and the general assembly, by this record, degrades itself to a mob and its action to mob legislation.

The question, therefore, recurs: "Why this perversion; why this disloyalty to their constituents; why this criminal disregard of their oaths of office?"

But before answering this important question, it is necessary to call attention to the second charge made in the introductory of this book, namely, that the state constitution was violated repeatedly by Democratic legislatures passing bills appropriating money out of the state treasury not in accordance with the mandate of that constitution. For sixteen consecutive years has this been done. Now for some light on the motives underlying these various abuses of power delegated by the constitution and the consequences, especially the cost to the people.

WAY TO STATE TREASURY MADE EASY.

The state constitution of 1875 went into effect in 1876. It was the supreme law of the state until the second general assembly under the Crittenden administration, in 1883, when the powers over the people's treasury granted by that instrument to the general assembly and treasurer were found inadequate, the mode of getting at the money altogether

too irksome, and a more direct, simple and effective method was suggested by way of experiment.

Mr. J. M. Seibert, state treasurer during the next administration, appreciated the utility of the suggestion and continued the experiments with slight modification. The modification relates to the fact that the new constitutional provision as suggested and in force during the session of the first general assembly, the first two years of J. M. Seibert's term as treasurer, simplified the "getting at the people's money" by eliminating the state auditor's function entirely. The resolutions of the house or senate of 1885, which express the new organic provisions, read as follows:

"Resolved, That the treasurer be requested to honor certificates of members and employes of the house," which was adopted. (See House Journal, 1885, page 162, or the State Republican.)

In simplicity and directness this may be regarded as perfection itself—unless, indeed, a separate key to the vault be furnished to each member of the house or senate. No red tape here! No warrant issued by a bonded state officer! A simple certificate issued by some member of the house or senate that happens to be chairman of the committee on accounts is all-sufficient!

But after two years' experience in the treasurer's office it could not escape the penetration of James M. Seibert that if the auditor had nothing to do with the payment of the general assembly, the influence of the office—that is, its lobby value—would be seriously impaired, and as it had been suggested that he himself become a candidate for that office, the resolution of 1887 reads:

Resolved, that the state treasurer be requested to pay members of the house their mileage, stationery and per diem upon the certificate of the committee

on accounts, certified by the state auditor, and also pay employes their per diem on certificates of said committee," which was adopted. (See House Journal, 1887, page 100.)

In this form it was adopted by the Francis administration (J. M. Seibert, auditor). With the simple addition that the payment of certificates should continue until the appropriation bill became a law, it was handed down to its successor, the present incumbent. Under these circumstances the present state auditor, Capt. Albert O. Allen, naturally waived the "formality," trivial as it was, of awaiting the passage of the appropriation bill by the general assembly, when he ordered State Treasurer Williams, last summer, to return to the Delmar race track bookmakers their licenses, which they had paid into the state treasury for the privilege of transacting their business. Capt. Allen had himself seen to it that the licenses were collected and converted into the state treasury, but when Col. Ed. Butler notified James M. Seibert that he (Butler) owned the Kinloch race track, and that it could not operate while the Delmar course was open, because the Butler track was so much its inferior, Mr. Seibert promptly ordered his former chief clerk, Capt. Allen, to recall the Delmar licenses, which was forthwith done.

TREASURY MADE A LOBBY FUND.

The great advantage of the abuse of the constitution by legislative resolution and practice, as set forth, lies in the fact that it transforms the people's treasury into a lobby fund with which to control the action of the general assembly. Under the old constitutional provision the general assembly had to pass the appropriation bill promptly after the two houses were organized, if the members wanted or needed money. Under the new provision, adopted without

any fuss among, or expense to the people, there is no such necessity. The last day of the session is as good as the first, as far as their pay is concerned. (Witness the passage of the appropriation bills in the closing days of the general assembly of 1901.)

Under the old constitutional provision no time is allowed for a division of the people's money among the different members of the house or senate who represent the eleemosynary, educational and other state institutions located in the various sections. What chance is there for those localities to make their influence felt—for swapping jack-knives—votes—for log-rolling—you tickle me and I'll tickle you? All this requires time, and how can you expect members to put off their own pay day to grant this time? The official life of the members and senators representing the various counties and districts of Callaway, Boone, Johnson, Buchanan, Adair, Vernon, Phelps, Cape Girardeau, etc., depends literally upon the size of the appropriation they can secure in the names of the state institutions located in their respective counties and districts, and this depends upon the number of times each member and senator can swap his vote for some other member's bill for a vote for his appropriation bill, and this again depends upon the number of weeks and months the session has lasted before the appropriation bill is put upon its final passage.

It is this actual situation which the people sought to meet by the simple provisions of the constitution of 1875, and it is this actual situation which has wiped out those provisions in practice and transformed the people's treasury into a lobby fund to control the action of the general assembly.

The lobby's expenses at the last session of the general assembly aggregated nearly $600,000. This

little item represents the amount the appropriations made by the last legislature exceed those of former sessions. The people will foot the bill. Dr. Dockery, more than any other state official, is responsible, for it was with his connivance and by the use of his patronage that the lobby organized the general assembly.

Moreover, it was by his order and through his manipulation that licensed industries, already heavily taxed, were made to suffer great burdens, which they, in turn, will cause consumers of their products to bear. To the extent of over nearly one million dollars a year, which the brewers and whisky distillers will have to pay as taxes, in addition to what they paid before the last legislature convened, are these industries indebted to Gov. Alexander M. Dockery, to whose campaign fund they contributed more than any other interest. What the Dockery administration does not get out of the brewers and whisky men of the state to pay the large appropriations made by the last lesiglature, it will take out of the state interest, sinking, revenue or school funds, place a certificate of indebtedness in the school fund, or deliberately cause another "discrepancy" in some of these sacred funds. No matter what the method pursued, the people will pay the freight, every time.

MORE CONSTITUTION SMASHING.

DIRECT OR LIMITED TAXATION CHANGED BY SPECIAL LAWS TO INDIRECT OR UNLIMITED TAXATION.

Taxation Increased Over Sixty-Three Per Cent by Democrats in Thirty Years.

Franchise Tax Fiasco—Samples of Democratic "Local Self-Government."

The framers of the State Constitution of 1875 in their wisdom, and with an eye single to the best interests of the people, did three things for which the people of Missouri should never forget them. Time has shown the broad statesmanship that dictated their policy, and a true record of the financial transactions of the state for twenty-five years would show how taxation would have been reduced to a minimum, and how the state bonded debt would have been wiped out and two-fifths of the entire state tax stopped years ago, had the affairs of state been administered in accordance with the provisions of the present constitution. The three things which led the people to adopt that constitution by a vote of 93,000 to 7,000 are:

1. The limitations placed on the taxing power of the general assembly.

2. The limitations placed on the power of the general assembly to appropriate the people's money.

3. The limitations placed on the power of the general assembly to make debts in the name of the people.

All of these safeguards thrown around the people's treasury and the credit of the state have been arbitrarily, deliberately and persistently ignored or perverted for sixteen consecutive years or more by successive democratic state administrations. This has been done:

First. By changing the constitutional system of direct into direct taxation, thereby opening boundless field for public plunder.

Second. By withdrawing money from the state treasury either by resolution of a single house of the general assembly, as herein shown, or by the arbitrary act of the state auditor, instead of "in pursuance of regular appropriations made by law."

Third. By evading the constitutional limitation on the debt-making power of the general assembly through the misappropriation, misapplication or misuse of sacred state trust funds, thereby continuing the state bonded debt beyond the time limited by the constitution, and thereby continuing to assess and collect ten cents on the $100 valuation (two-fifths of the entire state tax) when this tax should cease to have been collected with the liquidation of the state debt years ago, under express provision of the constitution.

The following chapter, headed "Unlimited Taxation," substantiates the third charge in the introductory of this book, that the legislative department violated the constitution by "authorizing the collection of special taxes":

UNLIMITED TAXATION.

All Taxes are Not "Uniform" and are Not Collected by "General Laws."

"Taxes may be levied and collected for public purposes only. They shall be uniform upon the same class of sub-

jects within the territorial limits of the authority levying the tax, and all taxes shall be levied and collected by general laws."—Sec. 3, Art. 10, State Constitution.

Here is only a partial list of the laws now in existence, and enacted since 1881 which impose special taxes and create new offices, one of the Democratic methods of "reducing taxation:"

Corporation tax.
Dramshop tax.
Excise tax.
Pool tables.
Billiard tables.
Race tracks.
Manufacture of beer.
Manufacture of whisky and wine.
Insurance tax.
Inheritance tax.
Building and loan association inspection.
Bank and trust company inspection.
Coal mine inspection.
Lead and zinc mine inspection.
Factory inspection.
Express company tax.
Steamboat tax.
Barber law.
Dental law.
Board of health act.
Coal oil inspection.
Bureau of geology.
Bureau of labor.
Insurance department.
Grain inspection.
Merchants' license.
Manufacturers' license.
Embalmers' board.
Bridge taxation.
Taxation of telephones.

And please don't forget it—the consumer, not the corporation, pays the tax in the end, every time!

A MAN'S SHAVE TAXED.

Democratic leaders never cease to boast in their state platforms and on the hustings of the extent to which they have "reduced" the burdens of taxation in Missouri during the past 30 years, or since the democracy assumed control of the state government. Direct taxation has been reduced, but through the operation of the state constitution, which made the reduction compulsory. The democratic managers surely will not claim the constitution as a child exclusively of their parentage!

While direct taxation has been reduced, as stated, the democratic managers discreetly fail to direct public attention to the manner in which their successive state administrations and legislatures have regulraly and systematically increased the burdens of taxation indirectly, or through special legislation. They have taxed everything through special laws from a shave on a man's face to the estate which he leaves when he no longer has a face to shave. Barbers must be licensed and pay a tax. The collateral inheritance tax is well known. Dentists and doctors also pay a license tax, and even the fellow who handles human clay when it is about to return to dust must pay a special tax. Verily have democratic administrations "reduced" the burdens of taxation.

More proof of the fact, you say? Take the receipts of the state revenue fund for the years 1871 and 1872 and the estimated receipts for the same funds in 1901 and 1902. Here they are:

TAXES INCREASED SIXTY-THREE PER CENT.

Revenue fund receipts (1871-2).....$3,051,113
Estimated revenue receipts (1901-2).....$5,000,000
Increase in taxation for the biennial period, represented alone by the revenue fund.$1,948,887

This increase, of nearly $2,000,000 every two years, in taxation does not include the fees and license taxes collected by appointees of the governor, such as coal oil, mine and factory and beer inspectors, excise, license and whisky tax commissioners, etc., part or all of which fees such apointees put in their pockets. Yes, to be sure, the several democratic administrations have "reduced" taxation in Missouri.

The constitution of Missouri limits direct taxes for state revenue purposes to 15 cents on the $100 valuation, as the aggregate taxable wealth of the state now stands at more than a billion dollars. For many years, however, the state board of equalization kept the total value at about $900,000,000, so as to levy 20 cents on the $100. When absolutely compelled to go above this limit, a jump was made of over $100,000,000, and this has since been increased. Plainly the constitution contemplated that these taxes would suffice for state revenue purposes. As a matter of fact scarcely half the revenue is raised in this way. Since 1880 no less than 29 different laws have been enacted to impose additional taxes.

Every business corporation that is organized in the state must pay a special tax to the state revenue fund, ranging from $50 up. This tax amounts to more than $125,000 a year. Fifteen years ago the state collected $50 from each dramshop. This has since been increased to $100, making a pick-up of about $200,000 a year. Pool tables and billiard tables also pay a special state tax. Race tracks were taken in several years ago, and by paying a special tax of $10 are given an exclusive privilege of gambling. This law was boodled through the legislature by St. Louis and Kansas City race track men. (For further information apply to Secretary of State S. B. Cook.)

DEAD MEN AND UNDERTAKERS TAXED.

Dead men have not escaped. The estates of those who die and have no immediate relatives in this country must pay an inheritance tax of five per cent. The insurance companies have been taken in, and must pay two per cent on their business, while building and loan associations, banks and trust companies must pay special fees to examiners. These fees, while they do not go to the state, are, nevertheless, a special tax of about $10 a year on each institution, and go into the pockets of democratic examiners. Barbers, dentists, doctors and even undertakers must all pay small fees or taxes for the privilege of following their avocations. They are one and all at the mercy of political boards appointed by the governor.

Special laws have been enacted to exact taxes from bridges across streams dividing Missouri from other states, and the rate is fixed the same as on real estate or personal property. Coal oil has not escaped the democratic statesmen. In order to make more offices a coal oil inspection law was passed in 1881. It levies a tax of 12 cents on each barrel of illuminating oil. Merchants and manufacturers must also pay special taxes for being on earth, and so must the farmer who ships his surplus grain to St. Louis, Kansas City or St. Joseph. At any of these points his grain must be inspected by democratic inspectors who charge whatever rate the railroad and warehouse commissioners may fix. The rate is always high enough to pay a small army of inspectors fat salaries, ranging from $75 a month to $3,000 a year. Express companies were not overlooked. A special law was passed in 1889 taxing them $1.25 on the $100 of gross business they do in the course of a year. A special tax law also looks after steamboats. In addition

to the usual tax a separate law levies five per cent on their hull measurement.

FRANCHISE TAX FIASCO.

In addition to several special tax laws directed against corporations, a special law was passed at the last session of the legislature to tax franchise privileges. This law should have been designated as a "Special act to furnish money to the democratic state committee." It will be used against such corporations as do not make liberal contributions. In other respects the law is largely a farce. The beer and whisky inspection laws have been in operation for some months. It is plain now that they will produce over $1,000,000 of revenue by the close of the fiscal year.

Since 1880 a large number of offices have been created in this state and the expenses of the state government more than doubled. While some of these officials do not receive their salaries direct from the state treasurer, yet they are paid in fees they exact from the interests effected. This is true of the coal oil inspectors, excise commissioners, bank and building and loan association examiners. In the 80s the grain inspection law was passed. It empowers the board of railroad and warehouse commissioners to appoint a chief grain inspector and a large number of deputies, all of whom are paid out of fees exacted from the shippers. As a matter of fact these offices are principally filled with relatives of the commissioners, and the law is not regarded as a particle of good to the grain interests of the state, but rather a detriment. Under its operation the grain business is going to Chicago.

DEMOCRATIC "LOCAL SELF-GOVERNMENT."

Among the first new offices created was that of labor commissioner. The original act has been

added to by several legislatures. Now we have a factory inspection department, a free employment bureau, two mine inspectors, and quite a number of democratic officials who owe their jobs to the inception of this law. Everyone of them draws a salary from the state. A little later the insurance department was added, and taken to Jefferson City. This gave good offices to half a dozen democrats and required the insurance companies to pay their salaries. On the heels of this a building and loan association department was established, which gave offices to two or three more democrats. The bureau of geology was added in 1889 at a cost of from $15,000 to $20,000 a year, and the legislature branched out and provided for examining boards for the doctors, dentists and barbers. The corn doctors have escaped up to date, but they will doubtless receive attention later on.

Some of these special office-holders report only to the governor, and the fees they receive do not appear in the auditor's reports. It is not too much to say that in one way or another millions of dollars a year are exacted through special tax laws, and a good deal of this goes in salaries to democratic officials.

In 1889 the legislature sought to impose a special tax on department stores, but the law was held to be unconstitutional by the supreme court. A special tax law had been enacted prior to this for the benefit of the state university, wherein it was attempted to impose an additional tax on new corporations. This law, the supreme court also held to be invalid.

OTHER FIELDS TO INVADE.

It must be remembered that the legislature has been engaged in this line of special legislation since

1881. There are other fields yet to be invaded. It is true that the state tax of late years, for revenue purposes, has been reduced from 20 to 15 cents on the $100 valuation. The democrats are never tired of boasting about reducing taxes, but they do not mention the special laws they have enacted to levy taxes in another direction. The 5 per cent loss is compensated for in other ways and greatly exceeded. There does not seem to be any limit to the number of special tax laws that may be enacted. Pretty soon the state tax on dram shops will be raised again, and the race tracks, telephone companies and a number of other interests will no doubt receive additional attention.

Citizen, the feast of the Democratic vultures will become a fast only when you drive the cormorants from power!

SCHOOL FUND INVESTMENT VOID

CONSTITUTION SAYS ASSETS MUST BE INVESTED IN "BONDS OF THE STATE OR UNITED STATES."

Organic Law of 1875 Amended by Democratic Legislatures, but not by the People.

Why Were Bonds Changed to Certificates of Indebtedness if Both are the Same?

"Authorizing the investment of the school and seminary fund in violation of the constitution" and "authorizing the issuance of certificates of indebtedness" are the third and fourth charges preferred against democratic legislatures in this book.

What does the constitution of 1875 provide? Read:

Sec. 9, Art. 11.—"No part of the public school fund shall ever be invested in the stock or bonds or other obligation of any other state, or of any county, city, town, or corporation; and the proceeds of the sales of any bonds or other property, which now belong, or may hereafter belong, to said school fund, shall be invested in the bonds of the State of Missouri, or of the United States."

Does this mandate of the supreme law of the people order the investment of the school fund, or any part thereof in "certificates of indebtedness?" Has the constitution of 1875 been amended so as to include the words "certificates of indebtedness" in the provision just quoted? Yes, it has been so amended. By whom? By the people? No! By whom, then? By democratic legislatures without the authority of the people. Proof? Here it is:

(See Laws of Missouri, 1881, page 204.)

SCHOOL FUND INVESTMENT VOID.

Section 1. The board of fund commissioners of the state shall, on the first day of July, 1881, issue a certificate of indebtedness of the State of Missouri, payable thirty years after date, and bearing 6 per cent interest, payable annually on the first day of January, for the amount of the two thousand and nine Missouri State 6 per cent bonds, and the nine hundred thousand dollar certificate of indebtedness now held in trust by the State for the permanent school fund.

Sec. 2. Said certificate of indebtedness shall be signed by the governor, countersigned by the secretary of state, and sealed with the great seal of the State, and shall be non-negotiable, and shall be sacredly preserved in the State Treasury for the permanent school fund of the state.

Sec. 3. There shall also be issued by the fund commissioners a certificate of indebtedness for the one hundred and twenty-two Missouri State 6 per cent bonds now held in trust by the state for the seminary fund, which certificate shall be executed in every respect as provided in the preceding sections, for issuing a certificate for the public school fund, interest made payable at the rate of 6 per cent per annum, on the first day of January of each year. Said certificate shall be kept and sacredly preserved in the State Treasury for the seminary fund.

Sec. 4. The two thousand and nine bonds of the State of Missouri, and the certificate of indebtedness for the sum of nine hundred thousand dollars now on deposit in the State Treasury, and held in trust for the permanent school fund of the state, and one hundred and twenty-two bonds of the state held in trust for the seminary fund, shall, as soon as the certificates of indebtedness provided for in sections one and three of this act, are prepared, executed and sealed as provided herein, be, by the fund commissioners, delivered to the state auditor, who shall immediately proceed, in the presence of said commissioners, to cancel the same and all interest coupons thereto attached, by purchasing, and he shall preserve the same in the scrap-book bond register kept in the office.

Sec. 5. The certificate of indebtedness authorized to be issued to the permanent school fund of the state by section one of this act, and the certificate of indebtedness authorized to be issued to the seminary fund by section three thereof, shall be executed on good parchment paper, and shall be and remain a sacred and irrevocable obligation of the state, unconvertible and untransferable from the purposes of its issues, but shall remain as so much of the permanent school fund and of the seminary fund as is represented in their amount respectively.

Sec. 6. This act shall take effect on the first day of July, 1881, and all acts and parts of acts relating to the investment of the permanent school fund and seminary fund, or any part thereof, in the bonds of this state, or as is represented by the certificate of indebtedness of the state now held in trust for said school fund, is hereby repealed.

Approved March 3, 1881.

(See Laws of Missouri, 1883, page 180.)

Section 1. The board of fund commisssioners of the state shall, upon the passage of this act, issue a certificate of indebtedness of the State of Missouri, payable twenty years

after date and bearing interest at the rate of 5 per cent per annum, payable semi-annually on the first day of January and July of each year, for all bonds of the State of Missouri now in the hands of the treasurer of the board of curators of the state university, except such bonds as may have been called for redemption by the state and purchased with money derived from the sale of agricultural college lands, estimating such bonds at their par value; and hereafter whenever any of the remaining agricultural college lands shall be sold, amounting to five thousand dollars, and the proceeds of the sale thereof paid into state treasury, a similar certificate of indebtedness shall be issued bearing interest at the rate of 5 per cent per annum, payable semi-annually and held in trust by the state as part of the "Seminary fund."

Sec. 2. Said certificates of indebtedness shall be signed by the governor, countersigned by the secretary of state and sealed with the great seal of the state; shall be non-negotiable and shall be sacredly held and preserved in the State Treasury as part of the permanent seminary fund of the state.

Hereafter, when any money shall be paid into the state treasury, from whatever source derived, whether by grant, gift, devise, or from any other source, to be added to either the "public school fund" or the "seminary fund" of the state, and when the same shall amount to one thousand dollars, the said board of fund commissioners shall issue a certificate of indebtedness of the State of Missouri like that provided for in section one and two of this act, and in accordance with the terms of the gift, grant or devise making additions to the public school fund or seminary fund of the state, except in cases where moneys are required by special gift or devise, providing said fund for public educational purposes, under article eleven of the constitution of this state and an act approved March 16, 1881, entitled "An act to encourage and increase the public school fund of the state by grant, gift or devise, as provided for in section six (6) article eleven (11) of the constitution of Missouri, and to provide for its safe and permanent investment."

Sec. 4. The certificate of indebtedness authorized to be issued under this act to the permanent public school or seminary fund of the state shall specify the purpose for which said funds are dedicated, the source from which derived, and the disposition of the interest to be paid on the same; they shall be printed on good parchment paper, and shall be and remain sacred, irrevocable obligations of the state, unconvertible and untransferable, for the purpose of their issue as so much of the permanent "Public School fund" or "Seminary fund," the interest thereon to be appropriated regularly in accordance with the terms of said certificates, and to commence running from the date of delivery of said Missouri state bonds or the payment of the money into the treasury of the state.

Sec. 5. All interest due upon the bonds herein referred to down to the date of their surrender or delivery shall be paid over to the treasurer of the board of curators of the University of the State of Missouri, and one-fourth of the inter-

est thus collected shall be paid by him to the treasurer of the School of Mines at Rolla, according to law.

Sec. 6. All bonds of the State of Missouri, referred to in this act, shall be delivered to the state auditor, and as soon as the certificates contemplated to be issued in lieu thereof shall be delivered to the state treasurer, the state auditor shall proceed, in the presence of the board of fund commissioners, to cancel the same and all interest coupons thereto attached, by punching, and he shall preserve the same in the scrap-book bond register kept in his office.

Sec. 7. The State of Missouri is hereby constituted the custodian and is made the trustee of all moneys which may be paid into the state treasury under this act, and of the certificates of indebtedness which may be issued under the same, and the honor and good faith of the state is hereby pledged for the faithful performance of the trust herein created.

Approved March 31, 1883.

If there ever was any doubt as to the violation of the constitution of 1875 by the enactment of the acts heretofore quoted by Democratic legislatures, it was certainly dispelled by the Democratic general assembly of 1901, when it passed the following amendment to the constitution of 1875, to be submitted to the people at the general election in November, 1902:

SENATE JOINT AND CONCURRENT RESOLUTION submitting to the qualified voters of Missouri an amendment to the constitution thereof to define the status of the state certificates of indebtedness now on deposit in the state treasury and held in trust for the "public school fund" and the "seminary fund;" to extend and perpetuate the same; to provide for the payment of the interest thereon; and to provide for the future investment of school and seminary funds.

Be it resolved by the Senate, the House of Representatives concurring therein, as follows:

That at the general election to be held on the Tuesday next following the first Monday in November, 1902, the following amendment to the constitution of Missouri shall be submitted to the qualified voters of said state, to wit: That article X of the constitution of the state of Missouri be amended by adding thereto a new section, to be known as section twenty-six (26), as follows:

Section 26. ALL CERTIFICATES OF INDEBTEDNESS OF THE STATE TO THE "PUBLIC SCHOOL FUND" AND TO THE "SEMINARY FUND" ARE HEREBY CONFIRM-

ED AS SACRED OBLIGATIONS OF THE STATE TO SAID FUNDS and they shall be renewed as they mature for such period of time and at such rate of interest as may be provided for by law. The general assembly shall have the power to provide by law for issuing certificates to the public school fund and seminary fund as the money belonging to said funds accumulates in the state treasury: Provided, that after the outstanding bonded indebtedness has been extinguished, all money accumulating in the state treasury for above named purposes shall be invested in registered county, municipal, or school district bonds of this state of not less than par value. Whenever the state bonded debt is extinguished or a sum sufficient therefor has been received, there shall be levied and collected in lieu of the ten cents on the one hundred dollars valuation now provided for by the statutes, an annual tax not to exceed three cents on the one hundred dollars valuation to pay the accruing interest on all the certificates of indebtedness, the proceeds of which tax shall be paid into the state treasury and appropriated and paid out for the specific purposes herein mentioned.

Approved March 18, 1901.

BONDS AND DEBT CERTIFICATES.

Speaking of the violation of the constitution of 1875 by democratic legislatures, as proved heretofore by the session acts, former Gov. Henry C. Brokmeyer said, in the State Republican:

"Of course, you will not make the mistake of entertaining an argument as to the policy of a legislative act, when the question at issue is the constitutional power of the legislative body to perform that act. In the case under consideration, the people have directed how they want their money invested—namely, 'in the bonds of the state of Missouri, or of the United States'—and it is not for the agent, no matter by what title known, to question, but to obey, especially when he has registered a sacred oath so to do.

"The suggestion of Mr. Allen that, after all, certificate of indebtedness and bond are so nearly the same

that there is no essential difference between them—might well elicit the question, why do they go to the trouble to substitute the one for the other? Why not leave the assets of the fund in the shape into which they had been put, in literal obedience to the behest of the people? But, in truth and fact, Mr. Allen can readily convince himself of the sophistical character of his suggestion by the simple experiment of presenting the two instruments in the market, where the bond will command cash and the certificates nothing.

"Nor are we to regard this difference as unessential in the affairs of the people, whether they have in their possession, and ready at hand, in any emergency, the cash, or they have no available resources ready for present use. For, although the people have set apart this hoard for the education of their children, still emergencies may arise—as some of us know by sad experience—that this purpose, sacred as it is, has to yield to a higher. For before children can be educated, they must exist, and the protection of life takes precedence of every duty of government."

The motive and consequences of the violation of the constitution by democratic legislatures in the conversion of school fund assets into liabilities, will be explained hereafter in this book.

ALLEN'S REVIEW OF THE SCHOOL FUND.

State Auditor's and Gov. Dockery's Absurd Contention as to Debt Certificates.

In a public utterance, as reported by a special correspondent of the Globe-Democrat, under date of November 8, 1901, Gov. Dockery employed the following somewhat equivocal language:

"To the People of Missouri: I invite attention to the report of Auditor Allen, which concisely, and yet in sufficient detail, reviews the management of our public school fund since January 1, 1865. The auditor's statement is so comprehensive that but little remains to be said by me."

A correspondent, signing himself "An Old Greenhorn," had the following to say in the State Republican on Gov. Dockery's utterance:

How is this? Are we to understand that you—Dr. Dockery, of Daviess, and Capt. A. O. Allen, of New Madrid— have stewed together a mess of assertions to prove that a certificate of indebtedness issued to one of the state trust funds is the same in law and fact as a coupon bond of the state of Missouri; and that you, Mr. Dockery, because you happen to be governor, invite over your official signature attention to this compound under the title of "a report from Auditor Allen?" You, as governor, attest this as an official document by your signature, and then add "that it is so comprehensive that but little remains to be said by you." Are the official reports required to be made under the law by the auditor, treasurer, secretary of state and other subordinate officers, subject to be amplified by you? If this is an auditor's report, where is your authority to amplify, amend, or to correct, even, to the extent of one word? If it is not an auditor's report, then where is your authority, nay, where is the propriety and good faith even to invite public attention to it, as such, over your signature as governor?

You, as Dr. Dockery, of Daviess, have a perfect right to enter into any controversy you please, and to maintain any absurdity, however ridiculous, either in law, physics or theology, but we protest against the signature of the high office which you occupy

being employed to bolster such private contention, and we do this in behalf of your own honor.

Do you hold the people of Missouri, whose attention you invite, so stupid as not to be able to distinguish between an official document and the rigmarole of a person in office—the authority and respect attached to the one and the destination of such authority by the other? If such is the estimate you place upon us, pray what is the honor to be governor of such a gullible crowd?

We, the people of Missouri, placed into your hands certain assets and told you to "invest them in the bonds of the state of Missouri or of the United States." Did you do as you were told?

"No!"

"Why not?"

"Because we were afraid our fellows would steel them, or permit others to."

"Well, what did you do with them?"

"We destroyed them."

"You did?"

"Yes."

"And then used a certificate in their stead not worth stealing?"

"Who authorized you to do this?"

"Nobody, but we thought—"

"Yes, you thought that you could make us believe that a thing not worth stealing is the same as a thing worth millions of dollars in the open market of the world, by simply calling a rigmarole of gratuitous assertions to that effect official documents over your signature as governor. But we entrusted you with that signature, not for the purpose that you might palm off on us rigmaroles of persons in office which you can amplify as official documents, but to be employed to avouch the faith of the state with open candor and truthfulness."

BONDS AND DEBT CERTIFICATES.

Democratic State Platform of 1900 Lied—School Fund $973.40.

The "little" that his excellency found remaining to be said by him in amplification of the "auditor's report" upon the management of the public school fund for the last 45 years starts off with this remark:

"The form of investment of the school funds was changed under the several acts to which he (the auditor) has referred, from the bond form of indebtedness to the certificate form of indebtedness. Both forms of indebtedness are in contemplation of the constitution bond forms of liability, and the question naturally arises why the state should have exchanged from the one form to the other."

This statement, if true, however little it may add to the "auditor's report," is all-sufficient for the question at issue. If it is true, as alleged, that "both forms of indebtedness are in contemplation of the constitution bond forms of obligation," then it follows, as a matter of course, that in that same contemplation of the constitution there was no change of the investment of the assets of the school fund, and all inquiry as to the constitutionality of such a transaction is more than idle—it is absurd.

But we are also informed by the sentence preceding the one that contains this assertion that notwithstanding this identity of the two forms there actually was a change. It is this peculiarity of the "little" that his excellency found to add to the report of the auditor—that there was and there was not a change at one and the same time of the assets of the school

fund—that makes it necessary for us to look a little further into this subject.

Nor can we be deterred from this by the fact that no political party has ever mentioned the subject in a convention, deeming it, as we do, not merely the privilege, but the solemn duty of every citizen, however humble he may be, to keep himself informed in regard to public affairs, and also to add his mite to the information of the public to the extent of his ability.

Besides, while his excellency seems to claim the calling of public attention to public affairs, as the exclusive prerogative of party conventions, he ought to remember that the discussion of this subject grew out of the claim, by the party that nominated him, in solemn convention assembled, that they had reduced the debt of the state "until only $2,637,000 remained to be paid." It was this statement, presented to the public with all the solemnity which his excellency seems to require, that was called in question by the editor of the State Republican, in a speech at Gallatin, Mo., Dockery's own town, during the last campaign. He showed, or attempted to show, that this claim was not true and could not be true, according to the evidence of the public documents in the hands of the people, furnished by that very party itself, unless they intended to repudiate their obligations to the public school fund of the state. Gov. Dockery will remember that neither he nor his party claimed at the time "that certificate and bond were in contemplation of the constitution bond forms of obligation," for if they or he had so claimed, what would have become of their other claim "that only $2,637,000 remains to be paid," when in truth and fact the sum would have amounted to $7,034,294.83.

It is, therefore, evident that even if his excellency's claim of exclusive prerogative on behalf of party con-

ventions be allowed, still, even in that case, the intruder could not, in common fairness, be charged with impertinence or arrogance and denied a further hearing. It was the convention that nominated Mr. Dockery that lied in its platform, and the extent of the editor's offense was that he did not believe that lie, nor intend that it should mislead the public unchallenged.

Nor is he to be deterred by this afterthought of his excellency that "in contemplation of the constitution" there was no change in the investment of the assets of the school fund, however clearly that contemplation may be in contradiction of his own party platform when it states the sum total of the bonded indebtedness still to be paid at $2,637,000; for, in fairness to the democratic party, it ought to be reminded that it could not know at that time what its candidate's contemplation might make of the constitution a whole year afterward. All they claimed was that they had reduced a debt of $21,788,000 to $2,637,000 by economic administration of public affairs. They could not know that their candidate, when drawn in a corner by the question: "What became of the assets of the school fund?" would deem it the shortest way out to say that it had been merged with the bonded debt of the state, and that in contemplation of the constitution, the convention either did not know what it was talking about, or did not care; that in point of fact, the bonded debt consisted, at the time the convention spoke, of $7,034,294.53, instead of $2,637,000; that the bonded debt was not reduced to $2,637,000 by economic administration of public affairs, but by taking $4,397,294.53, minus $3,445.96, out of the school and seminary funds, leaving a deficit in these two funds, as witnessed by certificates of indebtedness, of $4,393,539.43.

SCHOOL FUND INVESTMENT VOID.

Now, whoever may be correct in this contention between the convention and its creature, his present excellency, one thing, the editor believes, is perfectly correct, and that is that the present assets of the state school fund consist not of $3,158,937.40, but of the magnificent sum of $973.40 in the currency of the realm, and a deficit of $3,150,000, and this, we believe, not because the present auditor says so in his statement, vouched for by Chicago and New York experts, but because the democratic general assembly did, in the year of our Lord, 1901, submit an amendment to the constitution asking the people to vote upon themselves a tax of three cents on the $100 to make good this deficit. For the same reason we do also believe that the assets of the seminary fund consist not of the sum of $1,238,321.48, but of the sum of $2,482.06, and evidences of a deficit for the balance —that is, for $1,235,839.42. While we believe this for the reason stated, we do not believe that the deficits in the assets of the school and seminary funds amounting to $4,393,589.43, were used to redeem bonds of the state, or in the reduction of the bonded debt of the state; nor that the funds ever had assets consisting in bonds of the state to that amount, and for this belief we have nothing to offer but the statement of the present auditor, vouched for, of course, as stated above, and the act of March 31, 1883.

DOCKERY-ALLEN-EXPERT EXHIBIT.

STATE DEBT INCREASED $1,132,720 BY DEMOCRATS IN VIOLATION OF THE CONSTITUTION BY THEIR OWN RECORD.

That Amount of Debt Certificates in Excess of What Sinking Received From School Fund.

IN OTHER WORDS, OVER $1,132,000 SCHOOL FUND ASSETS WERE NOT USED TO CANCEL STATE BONDS.

Constitutional Violations by the Executive Department of the State Government.

The Executive Department of the state government consists, under the constitution, of a governor, lieutenant governor, secretary of state, state auditor, state treasurer, attorney general and superintendent of public schools. When inducted into office the several members of the executive department named take an oath to support the constitution. The organic law of the state also requires that they shall make "under oath" semi-annual reports of "all moneys and choses in action disbursed, or otherwise disposed of by them," to the governor. The constitution makes it perjury to violate an oath of office or to make a false official report. (See sec. 22, art. 5.)

The constitution of Missouri does not provide that a record of the financial transactions of the state shall be made, kept or passed upon by New York or Chicago "experts," employed without the authority of law by the governor of Missouri. The constitution, however, does prescribe such regulations governing

the receipt and expenditure of public moneys that not one dollar can be paid out of the state treasury except upon a warrant signed by the state auditor. Therefore, if the constitution is obeyed, the auditor's reports will contain a full and complete record of all the financial transactions of the state government. Any record short of this is a false report and a violation of the constitution.

It seems, however, that the all-wise Governor A. M. Dockery declares over his signature, in a document entitled "Missouri Finances," or "Complete Exhibit" of receipts and disbursements of public moneys, by the Dockery-Allen-New York-Chicago expert firm, that "state auditors' reports do not include all of the state's financial transactions" and that "this must be apparent to the merest tyro in bookkeeping." (See page 30, "Missouri Finances," Nov. 2, 1901.)

DOCKERY-ALLEN-EXPERT REPORT.

Passing over this revelation and Mr. Dockery's conviction of the state auditor for the moment, turn to page 36, same public document, prepared and published under oath. The State Republican some time ago expressed the editor's belief that the amount of money due to the school and seminary funds is correctly stated so far as the face of the auditor's books are concerned, because the people are asked to tax themselves to pay these amounts by the constitutional amendment now pending for ratification; but he also stated that he did not believe that these funds, school and seminary, ever held securities or moneys to that amount, the cancellation and acceptance of which justified this demand, and that for this want of faith he had no further evidence than the say-so of Capt. A. O. Allen, of New Madrid. The say-so of Mr. Allen referred to occurs in his recent utterance, variously designated by his excellency as a report, review or

statement, under the head-line, "Bonded debt reduced by transfer to sinking fund." (See page 35, "Missouri Finances.")

He says "no state bonds have been taken up under the act of March 21, 1883, and it is proper to explain that while this act does not require the school and seminary fund moneys, for which certificates of indebtedness are issued, to be placed in the sinking fund and used for the reduction of the bonded debt, it has evidently been the settled policy of the various administrations since the passage and approval of the act not to issue certificates in excess of the amount of money transferred from the school fund, seminary fund or revenue fund to the sinking fund to pay off bonds so that the state debt be not increased in violation of the constitution. An inspection of the books of this department shows that the following sums of money have been transferred from the funds just mentioned to the sinking fund and used for the reduction of the bonded debt since the passage of the act of March 31, 1883:

From the revenue fund	$ 568,000 00
From the school fund	225,000 00
From the seminary fund	674,958 23
Total amount transferred to sinking fund.	$1,467,958 23

According to these figures the sum total transferred from the school and seminary funds to the sinking fund is $899,958.23. It will be noticed that this covers the period from March 31, 1883, to January 1, 1901. During this period Mr. Allen informs us afterwards that certificates of indebtedness were issued as follows:

DOCKERY-ALLEN-EXPERT EXHIBIT.

To the school fund	$ 249,000 00
To the seminary fund	444,000 00
To the seminary fund	646,958 23
To the seminary fund	22,881 19
Sum total for which certificates were issued to these two funds	$1,362,839 42
Deduct assets alleged to have been received from the school and seminary funds	899,958 23
And we have left as the amount for which certificates were issued to these funds in excess of what they were entitled to	$ 462,881 19

DEBT INCREASED $1,132,720.

But this is not all. Mr. Allen also states "that the only certificates to the seminary fund not issued to the seminary fund under the act referred to (the act of March 31, 1883) were two, one for $646,958.23, under the act of March 26, 1891, providing that the direct tax money refunded by the United States (to the State of Missouri) be placed to the credit of the seminary fund and a certificate of indebtedness be issued therefor; and the other for $22,881.19, under the act of April 2, 1895, entitled: "An act to restore to the seminary fund the expenses incurred in the superintendence and sale of the lands disposed of for the benefit of said fund and the distribution of the proceeds of said sale."

As the time when these certificates were issued falls within the period covered by the operation of the transfers of the assets of the funds, school and seminary, to the sinking fund, that is, between March 31, 1883, and January 1, 1901, we are bound to regard these two items as included in the sum of assets, $899,958.23, transferred from these funds to the sinking fund during that period, and the question arises:

In what manner did the $646,958.23 become an asset of the sinking fund and chargeable as derived or transferred from the seminary fund?

The $646,958.19 was money in the treasury collected from the United States for direct taxes paid by the citizens of Missouri. The issuing of a certificate of indebtedness for this amount was, therefore, a direct, gratuitous gift to the seminary fund, or state university, and not a conversion of assets of that fund from one form to another. So the certificate for $22,-881.19 was in discharge of a claim for the expenses of the management of the fund, which when allowed was chargeable, as current expenses of the government, to the revenue fund, and the issuance of a certificate for this amount is the issuance of a certificate of indebtedness for that amount of the current expenses of the state government.

The presenting of these two amounts as assets of the seminary fund, available for the payment of "bonded debt," is, therefore, a subterfuge well calculated to cover up the real character of the tranaction. But the $646,958.23 was money in the treasury available to pay bonds without the issuance of a certificate of indebtedness therefor, and when the general assembly ordered that this money should be credited to the seminary fund, it neither received nor pretended to receive anything in return for that money from that fund, and when it ordered a certificate of indebtedness to be issued for this gift, it amounted to nothing more than the borrowing back the state's own money—or a free gift of a certificate of indebtedness to the seminary fund, and the means of the state to pay bonded debt remained the same that they were before the transaction.

Again, the $22,281.19 could only become a legitimate asset of the seminary fund when paid out of the revenue fund. As there is not even an allegation to

this effect, it could not legitimately figure in the question: "What was the amount of assets received from, and what the amount for which certificates of indebtedness were issued to these funds? Hence, to arrive at a true result, we have to deduct the aggregate of these two items, namely, the $646,958.23 and the $22,851.19, from the total amount of assets alleged to have been transferred to the sinking fund from the school and seminary funds, thus:

Transferred from school and seminary to sinking fund	$ 899,958 23
Certificates issued to seminary fund	669,839 42
True amount of assets transferred from school and seminary funds to sinking fund	$ 230,118 81
Total certificates of indebtedness issued	$1,362,839 42
True amount of assets transferred to sinking fund from school and seminary funds	230,118 81
Excess of certificates issued over amount of assets derived from school and seminary funds for sinking fund	$1,132,720 61

In other words, the bonded debt of the state has been increased in violation of the constitution to the amount of $1,132,720.61, according to the report furnished the people under oath by Mr. Allen, indorsed and vouched for by his excellency, Mr. Dockery. Of course, in view of these figures furnished by Mr. Allen, we could not believe that the means to pay state bonds, whether by transfer to the sinking funds or in any other manner, obtained from the school and seminary funds were equal in amount to the certificates of indebtedness alleged to have been issued for this means by Mr. Allen.

Will Alexander M. Dockery, Capt. A. O. Allen or the New York-Chicago experts explain the foregoing item that is in the state auditor's report?

MR. DOCKERY'S AMAZING INNOCENCE.

What the Constitution and Statutes Provide as to "Auditor's Reports" and What Missouri's Governor Does Not Know.

The people of Missouri have been under the impression for some years that they employed a person called "auditor of state," whose special duty it is to keep account of the financial operations of their government and to report to them from time to time the results. They prohibited the disbursement of a single dollar of their public moneys without his knowledge and special written consent—his warrant; and they required of him to make reports of these transactions:

First, to the governor; second, to the general assembly, and third, to themselves; to the governor monthly and as often as he may require; to the general assembly, "at the commencement of each regular session," and to the people themselves, annually, or once a year (Sec. 10,385, R. S., 1899).

They supply him with such material and assistance as he may require, and have rested secure in the belief that they have provided themselves and their representatives, both legislative and executive, with a source of information in regard to the financial affairs of the state at once authentic and reliable. This belief was entertained and this impression prevailed ever since the people organized a government of their own.

And now comes A. M. Dockery, in the year of our Lord, A. D. 1901, and says, over his own signature as governor, that any tyro in bookkeeping ought to know "that these reports (of the state auditor) do not include all of the state's financial operations."

Of course, what a tyro in bookkeeping ought or ought not to know, or what he might be reasonably expected to know, are questions of a purely speculative nature—a little or no concern to the people at large; but in view of the prevailing impression above mentioned, it would be of decided interest to find out what financial operations of the state there were, are or can be that do not involve receipts into or disbursements from the state treasury.

THE PEOPLE'S LAW.

The people have provided both by organic and statutory law:

First, "that all revenue collected or money received by the state from any source whatever shall go into the treasury."

Second, "that no money shall be drawn from the treasury except in pursuance of regular appropriations made by law."

Third, "upon warrants drawn by the state auditor, and not otherwise."

Now, if all the money received by the state from any source whatever shall go into the treasury, and no money shall go out of that treasury except upon an appropriation by law and on auditor's warrants, and the auditor is required, as he is by law (see act above cited), "to publish annually an accurate account of all receipts and expenditures of public moneys," then the question arises: What is the character of the state's financial operations that can be omitted from the auditor's reports without violation of law?

Again, if the financial operations of the state, referred to, are of a character that they do not affect the operations of the state treasury one way or an-

other, and may thus be omitted from the auditor's reports without violation of law, pray, what relevancy have they to the question at issue—namely, the reliability, the trustworthiness of the information furnished to the people concerning their financial affairs by the official reports emanating from the state auditor's office?

Now, if the assertion of Mr. Dockery, that any tyro in bookkeeping ought to know that the "auditor's reports" do not include all of the state's financial operations, means anything in relation to this question beyond an idle assertion, it must mean that the information conveyed by these reports to the people and their representatives, both legislative and executive, is insufficient because incomplete, its validity is impeached, the people's confidence so long reposed in this source of information is destroyed, and there is nothing left for their political guidance except Mr. A. M. Dockery's say-so!

STATE FUNDS MISAPPROPRIATED.

INTEREST FUND MISUSED IN PAYMENT OF INTEREST ON UNCONSTITUTIONAL DEBT CERTIFICATES.

State Bonded Debt Perpetuated Indefinitely as Well as Two-Fifths of State Tax.

School Fund Contains $973.40 in View of the Proposed Constitutional Amendment.

The controversy between official documents on the one side and partisan assertions on the other has enabled the editor to present the proof of the correctness of the position heretofore assumed by the State Republican, that the party in power has misappropriated the trust funds placed in its charge during the last twenty-five years. Of course, the state fiscal officers, including the fund commissioners, as well as the legislature, are proved guilty by the official records.

In a statement signed by A. M. Dockery, governor, that appeared in the State Republican of November, 8, 1901, there occurs the following item:

"Interest on school and seminary certificates, $4,970,436.27."

This amount is alleged to have been paid out of the state interest fund during the thirty years ending December 31, 1900. The fund here referred to was practically created by section 14, article 11, of the constitution of 1875, which reads as follows:

"The tax authorized by the sixth section of the ordinance adopted June 6, 1865, is hereby abolished; and hereafter

there shall be levied and collected an annual tax sufficient to pay the accruing interest upon the bonded debt of the state, and to reduce the principal thereof each year by a sum not less than $250,000, the proceeds of which tax shall be paid into the state treasury and appropriated and paid out for the purposes expressed in the first and second subdivision of section 43, article 4, of this constitution. The funds and resources now in the state interest and sinking funds shall be appropriated to the same purpose, and whenever said debt is extinguished, or a sum sufficient therefor has been raised, the tax provided for in this section shall cease to be assessed."

First and second subdivision of section 43, article 4, referred to above, reads as follows:

"First—For the payment of all interest upon the bonded debt of the state that may become due during the term for which each general assembly is elected."

"Second—For the benefit of the sinking fund, which shall not be less annually than $250,000."

In addition to this we find section 8 in the language following:

"Until the general assembly shall make provision for the payment of the state and railroad indebtedness of the state, in pursuance of section 14, article 10, of this constitution, there shall be levied and collected an annual tax of one-fifth of one per centum on all real estate and other property and effects, subject to taxation, the proceeds of which shall be applied to the payment of the interest on the bonded debt of this state, as it matures, and the surplus, if any, shall be paid into the sinking fund, and thereafter applied to the payment of such indebtedness and to no other purpose."

By these several provisions the people of Missouri authorize the levying of a tax upon themselves for a specific purpose, namely, for the payment of interest and principal of the bonded debt of the state, and for no other. They also provide, explicitly, that the authority to levy this tax shall cease as soon as this purpose is accomplished, "or a sum sufficient therefor has been raised."

Of course, it requires no argument to show that the use of this money for some other purpose than the one here so definitely expressed, such as the payment of interest upon school certificates of indebtedness, is a misappropriation; nor yet, that the effect of this misappropriation is to prolong the time that the people will be subject to this tax.

In other words, the people are paying 10 cents on the $100 valuation, have paid it for years and will continue to pay it indefinitely in the face of the direct and explicit command in their own constitution, that "this tax shall cease to be assessed whenever said debt (state bonded) is extinguished," which would have been done many years ago if the interest tax had been honestly applied to the purpose for which the people in their constitution created it, and to no other.

GOV. DOCKERY'S "MISTAKES."

The Taxpayer's Dilemma When the Auditor's Books are Untrustworthy.

In a speech at Macon, while the controversy over the auditor's reports and alleged "discrepancies" was pending, Governor Dockery admitted that Democratic state administrations had made mistakes. Referring to these "mistakes," a Macon "taxpayer," writing in the State Republican under date of October 23, said:

"I made a miss-take!" as the pickpocket said when his hand was caught in another man's pocket. "No, you didn't, for I caught you at it; but you intended to, no doubt!"

"We have made miss-takes in the records of our transactions, but the transactions themselves are all right." How do you know? From memory?

"We made miss-takes by putting the people's money in the wrong pocket; that is all. But we did it honestly!"

"We made mistakes." Yes, some few. (See the record of the general assembly during the last 17 years, on preceding pages of the State Republican Campaign Book.)

"We made mistakes, but then the people will continue to pay ten cents on the hundred dollars, from year to year, until our miss-takes are made good."

"We made miss-takes in the books!" And how are you—how are we, the people—to find out among other matters, when the constitutional tax of ten cents on the hundred dollars ceases to be a lawful one, ceases to be constitutional, and becomes unconstitutional? The language of that instrument is:

> And whenever said bonded debt is extinguished, or a sum sufficient therefore has been raised, the tax provided for in this section shall cease to be assessed. (Sec. 14, art. 10.)

"We know the bonds are not as yet paid, but what about the alternative condition? Has 'a sufficient sum sufficient therefor been raised?' The books alone can answer this question, and as they are untrustworthy, what is your recollection about this? The public knows that your actions evinced considerable attention to the public affairs of the state during the 16 years next preceding your election, so-called—that is, your being counted into the office of governor by the non-contestable Stephens-Nesbit machine, the crank of which you placed in the hands of James J. Seibert. This act alone would show that you kept track of things at home, although a thousand miles away, serving the people by drawing your pay with the utmost regularity from the national treasury. Still, whether your duties in that connection permitted you to keep your eye on things in Missouri close enough to justify us in substituting your recollections for a properly-kept set of books, such as the people have provided for in their constitution and laws, and paid for out of their pockets,

must in all fairness admit of question by those citizens who were on the spot, heard and saw what was going on from day to day. Nay, they remember that during the very period in question, when these mistakes were made, the persons then in charge of the state government themselves deemed it necessary to perform the ancient Jewish rite of sending a scapegoat into the wilderness. This ceremony, of course, evinced a consciousness of sin, and is in direct contradition of your recollection—"We made mistakes, but did not steal." You will, therefore, see the difficulty of the citizens in accepting your recollections in regard to the important question—'When does the tax of ten cents on the hundred dollars cease?"

MISUSE OF STATE TRUST FUNDS.

AUDITORS' REPORTS SHOW COSTLY JUGGLING OF PEOPLE'S MONEY IN VIOLATION OF LAW.

Revenue and Interest Funds Applied Indiscriminately and People's Purpose and Will Defeated.

Bonded Debt Perpetuated Together With Two-Fifths of State Tax to Pay Interest and Principal.

Misuse or misapplication of state trust funds, created for a specific purpose and no other by the constitution, when the act of a state official who is a member of the executive department of the state government, is a direct violation of the constitution, which such official is sworn to obey in the discharge of his duties.

The last State Republican Campaign Book (pages 20 and 61 to 75) contained proof of the "juggling of the several special funds in the state treasury, made sacred and inviolate by the constitution for purposes other than prescribed by the constitution." This proof is reproduced in this book in the following paragraphs, prepared by John T. Clarke, of Jefferson City:

STATE REVENUE FUND.

Section 8 of article 10 of the state constitution provides as follows:

"The state tax on property, EXCLUSIVE OF THE TAX NECESSARY TO PAY THE BONDED DEBT OF THE STATE, shall not exceed 20 cents on the $100 valuation; and whenever the taxable property of the state shall amount to $900,000,000, the rate shall not exceed 15 cents."

MISUSE OF STATE FUNDS.

The assessed valuation of real estate and personal property has for years largely exceeded $900,000,000. and consequently the state revenue tax now levied and collected is 15 cents on $100 valuation.

The proceeds derived from this tax, from corporation taxes, fees, licenses of every character and all moneys paid into the state treasury which are not required by law to be placed to the credit of some other fund, are credited to the state revenue fund.

All appropriations made by the general assembly for current expenses of the state government are paid out of this fund. These appropriations include salaries of officers, clerks and employes; pay and contingent expenses of the general assembly; costs in criminal cases; assessing and collecting the revenue; construction, maintenance and repair of state institutions; contingent expenses of the various departments; printing, stationery and all manner of current expenses pertaining to the state government.

No other fund in the state treasury can be LAWFULLY used in paying any of these expenses.

The condition of the state revenue fund for June, July and August, 1899, as shown by the monthly reports of the state treasurer to the governor, is submitted as follows:

	Balances on first day of the month.	Receipts during the month.	Disbursements during the month.
June.....	$302,132 37	$141,312 30	$87,149 17
July.....	356,295 50	77,329 62	.....
August.....	433,625 12	165,506 80	537,841 70
Balance Sept. 1, 1899.....			$61,290 22

To the casual reader these dull figures impart no startling information, but to one having knowledge of the laws controlling disbursements from the state treasury they disclose an utter disregard of these

laws and a most shameful "JUGGLING" of state funds.

Now, then, we find from the treasurer's report that in July. 1899, not one dollar was paid out of the state revenue fund for any purpose whatsoever! In view of the vast and never-ceasing liabilities of the revenue fund that was surely a WONDERFUL REPORT.

Were the people to be informed through this report that the state government was without expenses in July? That executive and judicial officers, clerks and employes were not paid their salaries in that month? That our educational, eleemosynary and penal institutions were maintained free of cost? That nothing was paid for costs in criminal cases, for assessing and collecting the revenue, for printing and stationery and a thousand contingent expenses? Certainly not. Warrants were issued by the state auditor for all these expenses and they WERE PAID, but in their PAYMENT FROM OTHER FUNDS IN THE STATE TREASURY, the constitution and laws of Missouri were trampled upon by the state treasurer.

The treasurer's report for August is no less astonishing than that of July, for it likewise shows that in August, 1899, NOT ONE DOLLAR WAS DISBURSED FROM THE STATE REVENUE FUND for current expenses of the state.

A disbursement of $537,841.70 is shown to have been made in August, but this disbursement represented simply A TRANSFER to state school moneys of that sum, said transfer being a part of one-third of the ordinary revenue receipts appropriated by the general assembly for the support of free public schools.

The report shows that the fund known as state school moneys was credited, in that month, with $537,841.70, the amount of said transfer from the state revenue fund.

MISUSE OF STATE FUNDS.

By his own reports, the state treasurer stands convicted of unlawfully using moneys belonging to other funds in cashing auditor's warrants drawn against the state revenue fund.

MORE JUGGLING.

The apportionment of state school moneys made July 31, 1899, to the several counties in the state of Missouri amounted to $923,950.36, and, as certified to by the state superintendent of public schools, was derived from the following sources:

One-third of the ordinary receipts into the revenue fund from July 1, 1898, to June 30, 1899, inclusive	$737,841 70
Interest on school fund certificates	186,090 00
Refunded errors in enumeration by J. O. Welch, treasurer of Cedar county	18 66
Total apportionment	$923,950 36

It will be observed that one-third of the receipts into the state revenue fund, from July 1, 1898, to June 30, 1899, as certified to by the state superintendent of public schools, amounted to $737,841.70, whereas the amount transferred in August, as shown by the treasurer's report, was $537,841.70, or $200,000 less than the amount that should have been transferred.

The revenue fund had been squandered in meeting wilful extravagance of the fortieth general assembly, and, notwithstanding the treasurer had not disbursed a dollar from it for current expenses during the months of July and August, it was still short $200,000 of the amount necessary to be transferred to state school moneys and had to its credit only $61,290.22 on the first day of September.

STATE INTEREST FUND.

The state interest fund tax is levied for the sole purpose of paying interest on the bonded debt and

for the redemption of outstanding bonds. It is authorized by section 14 of article 10 of the constitution, which reads as follows:

"Hereafter there shall be levied and collected an annual tax sufficient to pay the accruing interest upon the bonded debt of the state, and to reduce the principal thereof each year by a sum not less than $250,000; the proceeds of which tax shall be paid into the state treasury, and appropriated and paid out for the purposes expressed in the first and second subdivisions of section 43 of article 4 of this constitution. The funds and resources now in the state interest and state sinking funds shall be appropriated to the same purposes; and whenever said bonded debt is extinguished, or a sum sufficient therefor has been raised, the tax provided for in this section SHALL CEASE TO BE ASSESSED."

The purposes expressed in the first and second subdivisions of section 43 or article 4 referred to above are as follows:

"First. For the payment of all interest upon the bonded debt of the state that may become due during the term for which each general assembly is elected.

"Second. For the benefit of the state sinking fund, which shall not be less annually than $250,000."

STATUTORY PROVISIONS.

The statutory provisions concerning the state interest fund tax are the following:

"Hereafter there shall be levied and collected an annual tax upon all the taxable property in the state of one-tenth of one percent to pay the accruing interest upon the bonded debt of the state, and to reduce the principal thereof each year by a sum of not less than $250,000, the proceeds of which tax shall be paid into the treasury and DISBURSED BY THE

AUDITOR AND TREASURER FOR THE PURPOSES FOR WHICH IT WAS COLLECTED, AND NO OTHER, in the following order:

"First. For the payment of all interest upon the bonded debt of the state as it falls due; and second, for the benefit of the sinking fund, which shall not be less, annually, than $250,000."

SECTION 8651, R. S. 1889.

FAITH OF THE STATE PLEDGED.

"The proceeds of the tax mentioned in the preceding section * * * shall constitute and be known as the "Interest Fund" and the "Sinking Fund," and the general assembly hereby pledges the public faith of the state of Missouri that the fund hereby created SHALL NOT BE DIVERTED OR APPLIED TO ANY OTHER PURPOSE WHATSOEVER until the principal and interest of all the state bonds SHALL BE FULLY PAID AND REDEEMED IN GOOD FAITH."

SECTION 8652, R. S. 1889.

"Any surplus remaining in the state interest fund, after the interest on the bonded indebtedness of the state for the current year shall have been fully paid, shall be set apart and credited to the sinking fund, for the payment of the bonded obligations of the state that are now due or may hereafter become due, or for the purchase of bonds of the state, AND FOR NO OTHER PURPOSE WHATSOEVER."

SECTION 9654, R. S. 1899.

DIVERSION OF THE INTEREST FUND.

The wholesale diversion of moneys belonging to the state interest fund did not begin until 1887, during

the administration of James M. Seibert as state treasurer.

Proof of the crime may be found in the handwriting of the guilty parties and is published in the auditor's reports from 1887 to the present time.

Before presenting the evidence, as found in the auditor's reports, bear in mind that the state levies, for all purposes, a tax of 25 cents on each $100 assessed valuation. Of this tax 15 cents is collected and paid into the state treasury for the benefit of the state revenue fund, and 10 cents for the payment of interest accruing on the public debt and for the retirement of the same.

When, therefore, one pays state taxes on real estate or personal property, assessed at $1,000, he places to the credit of the state revenue fund $1.50, while $1 goes to the credit of the state interest fund.

It follows that of all state taxes remitted by collectors to the state treasurer, two-fifths of the amounts so remitted should be placed to the credit of the state fund.

SEIBERT'S ADMINISTRATION.

On page 188 of the state auditor's report for 1887-88, we find that in May, 1887, James M. Seibert, as state treasurer, placed $99,043.10 to the credit of the state revenue fund, while the state interest fund was credited with only $3,403.06; in June—revenue fund $80,784.99, interest fund $121.09; in July—revenue fund $232,420.18, interest fund $711.15; in August—revenue fund $94,117.10, interest fund, $387.45; in September—revenue fund $218,869.74, interest fund NOTHING; in June, 1888; revenue fund $36,732.30, interest fund $8,547.88; in July—revenue fund $33,760.58, interest fund $1,106.38; in August—revenue fund, $39,574.32, interest fund NOTHING; in September—

revenue fund $204,750, interest fund NOTHING; in October—revenue fund $119,159.28, interest fund, NOTHING.

ADMINISTRATION OF LON V. STEPHENS.

March 12, 1890, by appointment of Governor Francis, Hon. Lon V. Stephens succeeded Ed T. Noland as state treasurer, and in 1892 was elected to that office. His term as state treasurer lasted about six years and nine months.

In May, 1890, Treasurer Stephens was pleased to credit the revenue fund with $56,821.08, and the interest fund with $3,499.98; in June—revenue fund $51,083.59, interest fund NOTHING; in July—revenue fund $69,393.45, interest fund NOTHING; in August—revenue fund $80,660.36, interest fund NOTHING; in September—revenue fund $215,043.45, interest fund NOTHING.

In May, 1891—revenue fund $50,721.66, interest fund $4,837.56; in June—revenue fund $44,845.17, interest fund $452.41; in July—revenue fund $77,057.98, interest fund $55.41; in August—revenue fund $111,226.37, interest fund $145.52; in September—revenue fund $177,075.58, interest fund NOTHING; in October—revenue fund $162,564.59, interest fund NOTHING.

In May, 1892—revenue fund $51,387.82, interest fund $3,022.76; in June—revenue fund $41,519.85, interest fund $159.95; in July—revenue fund $68,986.64, interest fund $184.10; in August—revenue fund $149,764.59, interest fund $168.27; in September—revenue fund $135,090.14, interest fund $15.39.

In May, 1893—revenue fund $46,990.22, interest fund $1,757.49; in June—revenue fund $44,984.13, interest fund $1,550.70; in July—revenue fund $59,025.65, interest fund $349.23; in August—revenue fund

$107,885.49, interest fund $12.29; in September—revenue fund $167,756.21, interest fund NOTHING; in October—revenue fund $170,440.23, interest fund NOTHING; in November—revenue fund $130,988.03, interest fund $3.14.

In May, 1894—revenue fund $47,792.89, interest fund $1,023.38; in June—revenue fund, $40,505.21, interest fund $636.62; in July—revenue fund $63,051.84, interest fund $47.06; in August—revenue fund $117,-630.12, interest fund $83.15; in September—revenue fund $245,187.08, interest fund $28.54; in October—revenue fund $170,431.48, interest fund NOTHING.

In May, 1895—revenue fund $52,257.76, interest fund $5,834.20; in June—revenue fund $44,610.82, interest fund $190.62; in July—revenue fund $203,872.57, interest fund $219.18; in August—revenue fund $112,-594.31, interest fund NOTHING; in September—revenue fund $235,894.19, interest fund NOTHING; in October—revenue fund $137,531.53, interest fund NOTHING; in November—revenue fund $130,686.13, interest fund $10.32.

In May, 1896—revenue fund $71,865.61, interest fund $1,886.78; in June—revenue fund $61,920.80, interest fund $1,403.36; in July—revenue fund $74,583.96, interest fund $59.89; in August—revenue fund $115,-934.12, interest fund $10.10; in September—revenue fund $218,164.55, interest fund NOTHING; in October—revenue fund $75,181.05, interest fund NOTHING; in November—revenue fund $116,796.82, interest fund NOTHING.

See reports of state auditor for 1889-90, page 210; 1891-92, page 208; 1893-94, page 228, and 1895-96, pages 241 and 245.

ADMINISTRATION OF FRANK L. PITTS.

In May, 1897, State Treasurer Pitts placed to the credit of the state revenue fund $103,341.83, and

credited the interest fund with $7,730.16; in June—revenue fund $49,506.69, interest fund $2.01; in July—revenue fund $110,150.68, interest fund, $1.56; in August—revenue fund $126,002.15, interest fund NOTHING; in September—revenue fund $327,578.44, interest fund $424.57; in October—revenue fund $110,287.77, interest fund NOTHING; in November—revenue fund $112,686.23, interest fund $10.15; in December—revenue fund $617,817.36, interest fund $60,000.

In May, 1898—revenue fund $73,409.01, interest fund $2,920.65; in June—revenue fund $48,222.91; interest fund $2,039.27; in July—revenue fund $68,153.15, interest fund $436.21; in August—revenue fund $166,944.59, interest fund $38.55; in September—revenue fund $327,400.21, interest fund NOTHING; in October —revenue fund $101,907.97, interest fund NOTHING; in November—revenue fund $117,759.87, interest fund NOTHING.

See auditor's report for 1897-98, pages 212 and 216.

GUILT CONFESSED.

In April, 1899, in an interview published in many of the leading newspapers throughout the state, Governor Stephens made the following confession:

"There is no reason why the state treasurer should be required to continually violate the law and assume the responsibility of paying warrants drawn upon a depleted fund with funds intended for other purposes. * * * I served as treasurer for seven years, and was compelled to technically violate the law often. * * * It was done by all of my predecessors. * * * If I were still state treasurer I would pursue the same policy."

As a matter of information, the governor's confession was wholly unnecessary, because, as shown above, the books of the state auditor established his guilt beyond a question.

Governor Stephens not only confesses that he violated the constitution and laws while state treasurer, but goes further and charges the same crime against all of his predecessors in office. The governor says:

"I served as state treasurer for seven years and was compelled to technically violate the law often. * * * It was done by all of my predecessors."

We shall attempt no defense of those who preceded Governor Stephens in the treasurer's office, but we do affirm that prior to 1887 there was no such barefaced juggling of the state interest fund as occurred during his administration.

In support of this statement, we challenge the governor TO NAME ONE SINGLE MONTH during the administration of Harvey W. Salmon, in 1873-74; of J. W. Mercer, in 1875-76; of Elijah Gates, in 1877-78-79 and 1880; and of Phil E. Chappell, in 1881-82-83-84, in which the state interest fund FAILED TO BE CREDITED WITH RECEIPTS.

Yet the state auditor's reports show that, in less than seven years while Governor Stephens was treasurer, no less than fifteen months passed without a cent being placed to the credit of the state interest fund, and in six months it was credited with only $79.78!

Governor Stephens is the first state official of Missouri who ever made a public confession that he had violated the constitution and laws which he had taken a solemn oath to support. His seven years' continued juggling of the state interest fund certainly entitles him to whatever notoriety may attach to such confessed lawlessness.

GREAT LOSS BY THE STATE.

Long-continued misapplication of moneys belonging to the state interest fund has resulted in great loss to the state by reason of the fact that interest on out-

standing bonds has been permitted to accumulate, when such bonds should have been called in for redemption and interest thereon stopped.

On the first day of January, 1899, the bonded debt of Missouri amounted to $3,642.000. These bonds bear 3½ per cent interest, and all of them have been redeemable at the pleasure of the state since January 1, 1893.

The monthly reports of State Treasurer Pitts, made to the governor in 1899, show balances in the state interest and state sinking fund as follows:

June 1	$1,034,304 63
July 1	954,264 95
August 1	963,826 34
September 1	997,568 29

In addition to the balance September 1, 1899, the state interest fund should have received large amounts from the tax books of 1899 collected in September, October, November and December of that year.

As shown by the auditor's report of 1899, page 5, no bonds were redeemed until the last day of that year, when the number paid amounted to only $795,-000.

An act approved April 12, 1899, appropriated $1,-500,000 for the redemption of outstanding bonds. From the date of that appropriation (which should have been made in the first days of the session) to January 1, 1900, the state of Missouri lost interest on nearly $1,000,000, because of the failure of the fund commissioners to use these balances in the retirement of bonds.

Every conception of business, of official duty and of the public welfare demanded that every surplus dollar in the interest fund should have been used in the redemption of bonds LONG BEFORE, to the end that accruing interest thereon might cease.

This is only ONE instance, but in it we see that "juggling" of state funds not only leads to violation of official oaths, but to great loss of money by the state.

SOME SHADY FACTS.

It was known of all men familiar with state finances that in the spring and summer of 1899 there was not a dollar in the state treasury which could be LAWFULLY USED in cashing warrants drawn against the revenue fund to pay current expenses of the state government.

The public schools were entitled to one-third of all the ordinary receipts into the revenue fund from July 1, 1898, to June 30, 1899, and, when the apportionment was made in July, it has been shown that this fund was then short $200,000 of the amount due the public schools!

Monthly reports of the state treasurer discloses the marvelous fact that, in July and August, 1899, not a single warrant drawn in payment of current expenses of the state government HAD BEEN PAID OUT OF THE STATE REVENUE FUND!

But, notwithstanding this unfortunate condition of the revenue fund, the chairman of the Democratic state committee announces to the people of this state "THAT AT NO time within the past twenty years has a state warrant gone to protest or been delayed in payment for an hour;" thereby confessing the most notorious diversion of state funds known to the history of Missouri! Shameful boast of a constitution outraged and of laws trampled under foot!

Among the office-holding gang controlling the Democratic party in Missouri are men who have been drawing salaries from the state for more than a quarter of a century.

When first the doors of the state treasury were unlocked to them the bloom of youth was upon their cheeks, but in the passing years children have been born to them and now they can point to daughters bearing the sweet name of mother and to sons old enough to command armies.

The frost of winter comes and goes, the rain falls and the snows descend, but amid Nature's stormy blasts, luxurious offices, the monthly stipend, the contingent funds, the annual pass, the telegraph and the express frank, have made office holding very dear to them.

But, alas! mutterings were heard—murmurings like a horrid nightmare disturbed their rest. Men said, "Every four years we have an election, and at the end of twelve and sixteen and twenty and twenty-five years we find the same men in office—one small set of men for the offices; three hundred and fifty thousand Democrats for the polls is not right! We want a change."

Dave Ball was preaching a crusade against the ringsters. These were ominous signs.

Payment of revenue warrants became a necessity. Failure to cash them meant death to the "MACHINE!"

This is the why and the wherefore of all this juggling of your state funds.

JOHN T. CLARKE.

Jefferson City, Mo.

ALLEN-WILLIAMS CASE.

MONEY WITHDRAWN FROM THE STATE TREASURY WITHOUT AN APPROPRIATION BY LAW.

State Auditor Collects Race-Track Licenses and Gives Them to State Treasurer.

Auditor Afterwards Withdraws Them From the Treasury at the Command of "Boss Butler."

The State Constitution is specific. It provides:

SECTION 15, ARTICLE 10—ALL MONEYS NOW, OR AT ANY TIME HEREAFTER, IN THE STATE TREASURY, BELONGING TO THE STATE, SHALL, IMMEDIATELY ON RECEIPT THEREOF, BE DEPOSITED BY THE TREASURER TO THE CREDIT OF THE STATE FOR THE BENEFIT OF THE FUNDS TO WHICH THEY RESPECTIVELY BELONG, ETC.

SECTION 19, ARTICLE 10—NO MONEYS SHALL EVER BE PAID OUT OF THE TREASURY OF THIS STATE, OR ANY OF THE FUNDS UNDER ITS MANAGEMENT, EXCEPT IN PURSUANCE OF AN APPROPRIATION BY LAW, ETC.

Democratic state auditors and treasurers have violated the supreme law of the people in other ways than by authorizing the withdrawal of money and by taking it from the state treasury not "in pursuance of a regular appropriation made by law and upon the auditor's warrant." Take the present state auditor and treasurer for examples.

Licenses to engage in "book-making," or gambling (under Sam B. Cook's breeders' law), were issued by State Auditor Allen to book-makers at the Delmar race track, in St. Louis County, near the city limits, in the summer of 1901. The money paid for these

licenses was regularly collected and turned into the state treasury, or should have been under the constitution.

Ed. Butler, the erstwhile Democratic "boss" and maker of Gov. A. M. Dockery, J. M. Seibert et al., is a leading stockholder in the Kinloch race track. It is a "merry-go-round," situated in St. Louis county, not conveniently accessible to turf patrons of the city, and with a plant of mediocre and unattractive proportions. It could not succeed as a business venture with the Delmar race track in operation, because the latter is a more modern and inviting institution, as well as more accessible. Butler, realizing this, attempted to force the owners of the Delmar race track to buy his stock in Kinloch. He threatened to "make it warm for the Delmar people" if his demand was refused. Butler received an absolute refusal to buy. This brought down the wrath of the garbage statesman. "Dummy" warrants were issued against the Delmar officials at the instigation of Butler, and were handed over to "Bad Jack" Williams (King of Democratic election repeaters) to serve, the latter being given the authority and aid of constables for the occasion. This notorious action led to the murder of Graham, who was one of the regular officials to oppose the Butler "Indians" in their attempt to serve the warrants.

JEFFERSON CITY RING USED.

As soon as it was apparent that the Delmar officials would not agree to the highbinding demands made by Butler, the latter used his string to Excise Commissioner Seibert. He demanded Seibert's influence in return for the assistance Seibert had received from Butler for his appointment as excise commissioner. Butler prevailed upon Seibert to force the state auditor (Seibert's former chief clerk) to refund to

Delmar the taxes collected by State Auditor Allen's agent, equivalent to a revocation of the bookmaker's license. This money had been previously collected in a regular way, and had been paid to State Treasurer R. P. Williams, as "trustee" (Allen declared), although there is no law authorizing this course of procedure. (See sec. 15, art. 10, State Constitution, at head of this article.) The state auditor's apparent purpose was to leave a loop-hole through which he might escape when attention was directed to the fact that the entire repayment was not constitutional. But, under the Democratic theory, a state constitution is merely a thing of beauty, and must not be considered seriously. Seibert, true to his ilk, as well as Butler, informed the state auditor that the money and licenses must be returned to Delmar, which was done, after having been turned over to the state treasurer, a clear violation of the constitution.

Only one trumped-up reason could be given why State Auditor Allen should revoke the licenses, it being that a few persons owned stock in both the fair grounds track and in Delmar, which Allen declared to be in violation of the provision preventing racing on any one track for more than ninety days during one season. Butler's hand was potential in the entire proceeding.

Now mark the relation of benefactor and beneficiary: Gov. Dockery, State Auditor Allen and State Treasurer Williams were elected last November by the wholesale disfranchisement of Republicans by Ed. Butler's election and Harry Hawes' police machines. Butler's "Indians," or election crooks, padded the registration lists and "bands of repeaters," led in part by "Bad Jack" Williams, voted on fictitious names, as well as on names of qualified voters,

all the while protected by the Hawes police force. A service rendered by Butler and Hawes, converting a normal Republican plurality of 15,000 in St. Louis into a Democratic plurality on the very day that McKinley gained 20,000 votes on Bryan in Missouri outside of St. Louis, and Joe Flory made phenomenal gains in the rural districts, as worth something—both to the Dockery ticket and to Messrs. Butler, Seibert and Hawes. It meant election for Dockery, Allen and the Democratic state ticket, as well as Butler's son to congress. It meant "Jim" Seibert's appointment as excise commissioner. It brought to Hawes reappointment as the president of the police board, after he had used the police department to encourage anarchy during the street car strike in St. Louis last year and commit election outrages last November in Dockery's behalf, for which his department was denounced by the Morton grand jury, a representative body.

DESPOTIC RULE IN MISSOURI.

"IMPERIALISM" NOT ONLY A DEMOCRATIC POLICY, BUT AN ESTABLISHED PRACTICE IN THE LARGE CITIES.

Democratic State Administrations Perpetuated by Nefarious Democratic State Boards.

Discredited "State-House Ring" Retains Power Through Disfranchisement and Blackmail.

SOME GRAND JURY REPORTS ON THE STEPHENS-DOCKERY-NESBIT AND POLICE BOARDS.

How Democratic Governors do not "Faithfully Execute" Laws, as the Constitution Requires.

Among other things, violation of the constitution by the executive department of the state government and the several officers of that co-ordinate branch of the government is charged in the introductory of this book. The governor is not the entire executive department, but he is a member of it. The constitution defines his duties and the limitations upon his power. It provides that

> The Governor shall take care that the laws are distributed and FAITHFULLY EXECUTED; and he shall be a conservator of the peace. (Sec. 6, Art. 5—State Constitution.)

Under partisan and imperialistic laws enacted by despotic Democratic legislatures, approved by tyranical Democratic governors and sustained by Democratic supreme courts, the large cities of Missouri have been singled out from the rest of the state and have been saddled with government by governor's

boards and appointees until not a vestige of home rule remains in those municipalities. The police and election department, together with the excise and various other branches of the government in the large cities have been granted such extraordinary and unrestricted powers that the right to exercise the elective franchise—the highest and fundamental right of American citizensship—has become a farce, life and property are no longer secure in the enjoyment of the protection of the government and the instrumentalities of justice have been converted into weapons for public plunder.

Discredited and debauched, no longer able to appeal to the convictions and principles of the honest yeomanry of the state, the Democratic "state house ring" exercised its usurped powers and resorts to wholesale disfranchisement, blackmail of legitimate industries and stops at nothing in the large cities to perpetuate itself in power. The proposition is very simple. The ballot box, the registration books, the entire election paraphernalia, all the election machinery, the police and the city treasury in St. Louis, not to mention the World's Fair machinery, are under Democratic control and the Democratic supreme court has ruled that elections so held are non-contestable. It holds that the ballot boxes stuffed by the Stephens-Dockery-Nesbit law manipulators, protected by the Stephens-Dockery police, cannot be opened so as to permit a comparison of the votes cast with the registration lists to determine whether or not fraud has been committed—and it cannot be conclusively proved any other way. What, then, is there to prevent making of election returns in St. Louis, Kansas City and anywhere else in Missouri, whatever the corrupt "state-house ring" pleases to make them, after holding back the returns until the rural districts of the state have been heard from—as was done at the November, 1900,

election, when A. M. Dockery was declared elected governor of Missouri and the sanctified "Jim" Butler, of Standard Theater fame, was counted in as a member of Congress?

But to return to the constitutional requirement that "the governor shall faithfully execute the laws" of the state. How have Democratic governors of Missouri observed this mandate of the people?

GOVERNMENT BY STATE BOARDS.

The infamous Judson police law, enacted as a twin companion of the cheating Nesbit election law by the Democratic legislature of 1899, authorizes the governor to appoint a police board, consisting of three members, for the city of St. Louis. Another statute of Democratic origin and design empowers the governor to appoint an excise commissioner for St. Louis. Still another law (Nesbit), the product of a Democratic legislature, governor and supreme court, invests the chief executive with the power to appoint an election board, of three members. Thus the entire control of the police and election departments of the government of St. Louis, together with absolute authority over all the dramshops (estimated at two thousand) are in the hands of the governor—not an imperialist, nor a despotic ruler, but a "Democratic chief magistrate," unreservedly and resolutely pledged to "home rule," "local self-government," government "by and with the consent of the governed."

Fortunately this usurpation of political power carries with it responsibility. The principal is responsible for the acts of his agents—the governor, for the administration of his tyranical police and election boards and his excise commissioner (in St. Louis the chairman of the Democratic state committee).

Now, what was the conduct of the St. Louis police and election boards and excise commissioner appoint-

ed by Gov. Lon V. Stephens? Read the following extracts from the reports of non-partisan, representative grand juries, remembering all the time that the same Stephens' police and election boards in St. Louis have been reappointed by the "worthy" and "statesmanlike" Governor A. M. Dockery:

January, 1901, grand jury report, Isaac W. Morton, mentioned as a possibility for the Democratic nomination for World's Fair Mayor of St. Louis in 1901. chairman. This extract relates to the administration of the police board, of which Harry B. Hawes, appointed by Lon V. Stephens and reappointed by Alexander M. Dockery, was and is president. The report, however, concerns the board's conduct prior to Hawes' reappointment and J. M. Seibert's appointment as excise commissioner. Here it is in full, insofar as the report relates to the police board and bribery and November (1900) election charges and outrages:

MORTON GRAND JURY REPORT.

The general publicity given to the police bribery matters at the very start, in our opinion, forced all the making of cases by giving others, who may have been guilty of like crime, ample opportunity to terrorize and arrange the testimony of witnesses that were called subsequently. And that this was done and that little of testimony was unearthed where much existed is the opinion of every juryman. We hold the police department responsible for prematurely making public testimony then and there in their possession. The grand jury is not a good agency for the original detection of fraud and their efforts in an attempt to detect it have been thwarted by the very agencies most competent to carry it out. It is vitally important, in the way of conserving the best interests of the city, that the Police Board and the rank and file of the force should be as nearly non-partisan as possible. The law provides that politics shall not be considered in the selection of the police. At present, however, the force is drawn almost entirely from one political party, so that party allegiance is evidently one of the chief credentials for appointments. And it is but natural that on the part of many political activity should be considered of paramount importance to the faithful performance of duty, and, moreover, a security for the holding of positions. The police in some sections of the city did not do their full duty in connection with the last election, many instances having come to our knowledge of pernicious activity and masterful inactivity.

NOVEMBER ELECTION CONSPIRACY.

The president of the Police Board has offered to throw open to us the minutes of the meetings of the Police Board, to show instructions to the force, and the actions and proceedings of the board. We have not looked into them except in reference to one particular case. It is what transpires outside of such meetings, of which there is no record, that we take exception to. For instance, the testimony laid before us shows that on the evening of November 2 a meeting was held in one of the Southern Hotel parlors at which were present some of the members of both the Police and Election Commissioners, some of the state officials, Chief of Police and prominent political workers. All of these parties were of one political complexion(Democratic). In other words, it was a political caucus to discuss matters in relation to the coming election and devise plans to be carried out that would best conserve the interests of their political party. The chief subject under discussion was in reference to the instruction that should be given the police regarding deputy sheriffs on election day.

The president of the Police Board then and there instructed the Chief to issue orders to the police the next morning at roll call, and under instructions from the Chief orders were read not to permit deputy sheriffs to go beyond the 100-foot boundary line at the polls, and in the event that they attempted to do so to arrest them. Deputy sheriffs duly clothed with authority by law to arrest law breakers of a certain class were to be themselves arrested if in the performance of their duty they overstepped a boundary line which it would be in most instances necessary to do in order to capture offenders. The jury was reliably informed and has reason to believe that there was no interpretation of the law that would justify police interference with the deputy sheriffs armed with warrants, and who were present with the avowed purpose of apprehending fraudulent voters.

Undue and unnecessary prominence was given to the question of deputy sheriffs at the polling places. The statutes of the state require that the police shall maintain order at such places on the day of election, and the questionable order issued as the result of the caucus meeting above cited had much greater tendency to create disturbance than it did the prevention of trouble. In a strict sense it was not the president of the Police Board who gave the instructions to the Chief. It was the partisan, and the instructions were the result of a political caucus, the atmosphere of which is not best calculated to bring about unbiased judgment in reference to political methods. Another meeting was hurriedly called, about midnight previous to election day, at which were present a number of those who attended the first one. At 3 o'clock a. m. the Chief of Police was told to change the instructions previously given to the extent that when deputy sheriffs armed with their warrants, could point out the subject of that warrant, within the 100-foot limit, he would be permitted to pass that line and make the arrest.

The evidence that has come before us leaves no shadow of doubt in our minds that the instructions embodied in the first order were carried out, and carried out aggressively, resulting in a prevention of deputy sheriffs performing their duty, and, in many cases, in their being maltreated. It is

customary for the president of the Police Board to give instructions between the meetings of the board, and have them confirmed subsequently. There is no record in reference to either of these orders on the Police Board minutes. In our opinion it was one of the most important orders in the history of the Police Board that has been given without any record whatever on the proceedings of the board. On the one hand it is claimed that the orders given at roll call were different from those that the chief was instructed to give. On the other hand, it is claimed that they are the same. We must rest content to simply cite the facts.

POLICEMAN A BURGLAR.

It is not our desire to touch upon unimportant matters, but as articles have appeared in the press giving the impression that the Meer case is such, silence on our part would be interpreted, and properly so, as viewing it in the same way. We do not consider it. The act committed by Meer (a policeman) was not a boyish freak. He broke into a house (while a policeman), burglarized it, took goods to the value of $175, was arrested and confessed the whole crime. We do not concur in the statement of President Hawes, given in the press, and to us, that there was no possible way whereby he could have been relieved from service without his being guilty of some misdemeanor since his enrollment which would justify the preferring of charges against him. Testimony was given to the effect that it had been customary to notify such parties that their previous records have been found out and ask them to resign, which request had been almost invariably complied with, for the very obvious reason that noncompliance meant general publicity of their crime. It would seem to us that this would be a natural procedure, and that it was within the power of some one to ask for the resignation, give orders to some one to ask for it, or to see by some means that it was asked for. As it is, a violator of the law is on the force, the purpose of which is to prevent crime and conserve the peace. Such things are a menace to the community and an insult to his self-respecting fellows.

With the permission of Judge W. E. Fisse, one of the attorneys for the contestant in the Horton-Butler election case in the twelfth congressional district, the following extracts from contestant's brief are published:

SOUTHERN HOTEL CAUCUS.

That the purpose of the Police Department was as stated, and that it was actuated in these proceedings only by an intention to romote at any hazard a wicked partisan enterprise, is not a matter merely of inference, but is a fact completely established by the testimony concerning the proceedings at the secret caucus held at the Southern Hotel a day or two before election, adverted to in the report of the Grand Jury. The testimony concerning this caucus is supplied by

Mr. Hawes, President of the Police Board; the Chief of Police, the Chief of the Detective Service of the Police Department, all the members (excepting Mr. Kobusch) of the Board of Election Commissioners; Mr. Hoblitzelle, the Secretary of the Board and Deputy Election Commissioner; Mr. Seibert, the Chairman of the Democratic State Committee, and others. These witnesses all agree that, beside all the officials of the Police Department, and all but one of the Elections Department, there were present at this meeting all the chief officials of the Democratic State Central Committee, of the Democratic Congressional Committee for this District, and of the Democratic City Central Committee, and that besides these there were also in attendance Mr. Edward Butler, the Democratic boss of the city, father of the contestee, and many other conspicuous Democratic politicians and "workers."

Another fact appears with equal distinctness, namely, that the only officials of the Police and Election Departments who were not present at this momentous conference were two Republicans, to wit, the mayor of the city,, ex-officio a member of the Police Board, and Mr. George J. Kobusch, the Republican member of the Board of Elections.

Of all these witnesses, the chief of Police, and Mr. J. M. Seibert, Chairman of the Democratic State Central Committee, are the only ones who testify with any degree of candor as to what transpired at the meeting. The latter confesses that this meeting was brought about because it had become known that the Republican Congressional Committee had circulated registered letters addressed to men suspected of false registration, and had procured warrants to be issued for the arrest of persons charged to have fraudulently procured registration. He says that at his suggestion the attorney general of the state was sent for (it is unnecessary to say that this officer was a Democrat) in order that they might obtain from him advice as to how the service of these warrants could be legally stopped. (See page 478.) The witness proceeded to state that at this meeting "It was decided that everybody interested should take all the steps necessary under the law, that a legitimate and fair election should be had in the city of St. Louis, and every voter should have an opportunity to cast his vote unmolested, and have his vote fairly and honestly counted." And to that end it seems the chief law officer of the state advised that resort should be had to a law which he then and there manufactured out of the film of his own imagination in order to prevent the arrest of the only persons who were clearly and regularly accused of an intention to cheat at the election. Mr. Seibert professed great solicitude for voters who were likely to be threatened or intimidated by sheriffs' officers holding lawful warrants, but being asked to explain what voters were endangered by the proceedings of the Congressional Committee and these deputy sheriffs, the witness could only give answer (Record, page 479), that the voters likely to be intimidated by these proceedings were the people registered from rooming houses. Though repeatedly asked to state any other class of persons that would be likely to be interfered with by the actions of the committee and the warrants which had been issued, the witness repeatedly said that there was no other class of persons. He became indignant at the frequent de-

mand that he should name some other class of threatened voters, if any was known to him, but his indignation could not enlarge the class.

The proceedings at this caucus culminated in an order to the police not to allow the deputies to stand around the polls. The President of the Police Board testifies that the order was as follows (see Record, p. 118): "It was considered that the presence of these deputies for any other purpose than that of serving warrants, was illegal, and I therefore instructed Chief Campbell not to allow deputies to stand around the polls, and to show them no more consideration than ordinary citizens, except the deputy was about to serve a warrant, and in that case he was not to be interfered with."

The testimony of the Chief of Police concerning this order is as follows (Record p. 140): "The day before election the captains were instructed not to allow any of the deputy sheriffs or anybody else within 100 feet of the polling places, except they were there for the purpose of voting. The next morning, or, in other words, the morning of the election day, about 3 o'clock, the order was rescinded, and they were instructed to allow deputy sheriffs within the 100-foot limit, if armed with warrants."

The Chief of Police testified more particularly concerning these orders to the department when recalled for further examination as a witness. (See Record, p. 425.) He there says: "Well, I was called to the club (Jefferson Club) as well as I remember now about 2 o'clock (a. m.) on the morning of election day. There I met Mr. Hawes, Colonel Overall, Judge McCaffery and Colonel Kingsland, and the question of deputy sheriffs came up. Colonel Overall advised that a deputy sheriff armed with a warrant could go any place, and the order was rescinded to that effect. If a deputy sheriff made his appearance at a polling place with a warrant he would be allowed to serve it without interference from the police."

Mr. Hawes' testimony concerning this 2 a. m. amendment of the order to the police is interesting, but as to the main fact is, at least, inaccurate. The strange inconsistency of the advice obtained by the head of the Police Department from the Attorney General of the state, and that received from Colonel Overall, cannot escape attention. The testimony is clear that the Attorney General advised that deputy sheriffs had no greater rights about the polls than any other person, and were equally subject to the jurisdiction of the judges and clerks of election. (Testimony of Hawes, p. 129). Yet in less than twenty-four hours after parting from the Attorney General at this meeting Mr. Hawes, without hesitation accepted the advice of Mr. Overall that a deputy sheriff armed with a warrant could go any place. (See testimony of Campbell, p. 425, and Hawes, p. 430.) We are disposed to credit the testimony of the Chief of Police to the effect that he issued an order to the department modifying the terms of his original order. That the department, particularly the officers posted at voting places within the Twelfth District, did not understand it to be their duty to act according to the second order, is he clear conclusion of the Grand Jury, and is made indisputable by their conduct on the day of election.

POLICE AND ELECTION OFFICIALS.

It appears from the testimony that at this secret caucus there were discussed some other matters besides the subject of deputy sheriffs. Mr. Harry Hawes seems to have no distinct recollection of what transpired at this meeting except the fact that on one or two occasions he left the session room for the purpose of buying some cigars. But other witnesses have not suffered any such lapse of memory, and their testimony supplies the information that among these other subjects discussed was the authority of the judges and clerks to order persons to be ejected from the room, and also the question as to how far it was obligatory upon the police officers present to obey any such order issued by the judges of election. Enough was let fall by these witnesses during their examination to make it clear that there was considerable discussion about the matter of permitting Republican challengers to remain in the voting places, and the significant conclusion of the caucus, which, according to the testimony, was finally reached at this meeting (a conclusion it must be remembered which had the support of the Attorney General of the State) was that the judges and clerks could order a police officer to eject a man and arrest him. Mr. Hawes is able to remember that much, although he is disposed to think that when the conversation occurred about the challengers he was downstairs buying cigars (p. 129).

The significance of the resolution adopted at this caucus that police officers should be instructed to abide by and obey the orders of the judges of election became perfectly clear early on election day. Immediately upon the opening of the polls in many election districts within this congressional district, the Democratic judges of election ordered Republican challengers to be ejected, and the police present—conceiving it to be the opinion of the Attorney General that none except Democratic officers were entitled to be recognized as persons of authority—instantly obeyed orders from these men, and not only ejected the challengers, but very persistently stood in the way of their returning to their duty at all during the entire day. In the very few instances where the police proved recreant, or the Democratic judges showed themselves to be faint-hearted, other and equally effective means were found to dispose of these troublesome Republican watchers, but in view of the testimony showing what the challengers endured who were subjected to the operation of the substituted method of ejection, it is reasonable to conclude that if permitted their choice these men would have rather accepted the other method. The police had no part in this substituted procedure except the part of arresting and holding as a prisoner the unfortunate Republican challenger who had been beaten in many cases into a state of insensibility by ruffians who were escorted to and away from the scene of the assault by uniformed police officers. It is a singular fact worth noting at this point that about the only persons arrested by the police on this extremely quiet election day (for so it is described by the entire police department) were the unfortunate victims of assault. In not one single case was the assailant arrested. This circumstance is probably one of the matters which the Grand Jury had in mind when it spoke of the conduct of the Police Department as characterized

in part by "pernicious activity and at other times by masterful inactivity."

HAWES CONTRADICTED BY SEIBERT.

According to the gentleman who is so fortunate as to carry the double honor of being at once President of the Police Board and President of the Jefferson Club, this remarkable caucus at the Southern Hotel was only an informal meeting for the purpose of definitely determining the jurisdiction of the election officers on the day of election and the duty of the Police Department to observe the orders of the election officers. Legal advice was what was wanted, according to him. Mr. Hawes complains that the officials of the Police and Election Boards were handicapped because of the fact that the political faith of the City Counsellor, their legal advisor under the law, precluded their giving him an invitation to attend at this session. They, therefore, availed themselves of the convenient services of the Attorney General of the state, as to whom they felt no such qualms; and probably because of a fear that the Attorney General might prove insufficient for the purpose, they called in to assist him Mr. Edward Butler and all the other Democratic politicians and workers within their reach or call.

The events of election day contradict Mr. Hawes' testimony, but he is also absolutely and flatly contradicted by Mr. Seibert. The latter does not hesitate to say that the meeting was called for the purpose of counteracting the effort to procure the arrest of persons accused of having falsely registered. The presence of Butler and these other men is explainable and consistent with Seibert's account of the matter. The date of the meeting is another circumstance that furnishes support to Mr. Seibert's testimony, and the performances of the police at the election furnish the final evidence.

It is not to be wondered that the Grand Jury should say concerning this meeting, and of the instructions to the police which were there originated, that "In a strict sense it was not the President of the Police Board who gave the instructions to the Chief. It was the partisan, and the instructions were the result of a political caucus, the atmosphere of which is not best calculated to bring about unbiased judgment with reference to political methods."

Reviewing the entire testimony as to the orders which were actually given to the Department, we are forced, also, to accept the conclusion of this Grand Jury, to wit: "The evidence * * * leaves no shadow of doubt * * * but that the instructions embodied in the first order were carried out, and carried out aggressively, resulting in a prevention of deputy sheriffs performing their duty, and in many cases being maltreated." This conclusion is not in any degree weakened by the fact, also pointed out in the report of the Grand Jury, that although it is customary for the President of the Police Board to have his actions taken between sessions of the Police Board confirmed at the meeting following, there is no record whatever in the minutes of the Police Board concerning either one of these orders.

POLICE CONTRIBUTIONS TO CAMPAIGN FUND.

It has already been pointed out in this statement that the Police Department was extremely active in procuring the passage of the Police Law of 1899, and the Nesbit Law of the same year, and that the members of the Department were made to contribute the large sum of $20,000 to promote the passage of these laws and to obtain a decision affirming their constitutionality.

The fact has also been pointed out that the members of the police force were, with only a few exceptions, all members of the Democratic party and active in the work of the Jefferson Club, of which, as stated, the official head of the Department (Hawes) was also president. But the interest of the police in the matter of this election is not all included within the statements that have been already made. The testimony completely establishes (although we are again forced to get along without the aid of the memory of Mr. Hawes and without assistance from any of the other members of high rank in the department and notwithstanding that at least one police captain, when interrogated concerning the subject declined to testify lest his answers might subject him to a criminal prosecution) that the members of the Police Department in the City of St. Louis contributed to the Democratic campaign fund for the year 1900 the sum of $25,000.

As in the case of the Southern Hotel secret caucus, we have two witnesses concerning this contribution who speak with candor—one, the Chief of Police, who evidently detested what had been done; the other, Mr. James M. Seibert, Chairman of the Democratic State Committee, who without hesitation admits the facts because of his conviction (see Record, p. 487) that "Every man who was holding a position under the Democratic administration of this state should contribute such sums in support of the campaign as he felt justified in doing." And he said that on this theory he rated the policemen of St. Louis as proper persons to be so assessed.

The first contribution received from the Department amounted to the sum of $20,459.87. (See testimony of Ward, p. 423 also testimony of Campbell, p. 147.) The Chief also testifies that each officer was asked to contribute to the fund and they did so. (Record, p. 147.)

The ratio which determined the amount of each man's contribution may be ascertained from the testimony of Captain McNamee, from which it appears that it was 20 per cent of the monthly salary. Patrolmen paid $18; sergeants, $22; lieutenants, $30, and captains, $50. The number of the police force in the City of St. Louis under the present law is fixed by the terms of the law itself printed in the Appendix, page 67. This percentage being multiplied into the number of men of each grade will be found to yield almost exactly the amount of money shown to have been contributed on this first occasion.

This sum of money was paid about the middle of September. But a few days before the election another demand was made upon the department, which realized, according to the testimony of Chief Campbell (Record, page 425) between $1,000 and $5,000. Of this amount about one-half

was used. It was paid over to the Jefferson Club, and the account of the City Central Committee in evidence shows that it was used on election day by representatives of this club at the polling places. The remainder was reserved for the next municipal election following soon after.

POLICE FORCE AS A "GRAFT."

The testimony also shows that this contribution from the Police Department to the campaign fund was considerably more than one-half of the whole amount raised by the State Committee, which, according to the avowal of its President, assessed every office-holder throughout the state, and received many contributions besides. We ask that these facts be borne in mind in order that an answer may be given to the question propounded by the Grand Jury, namely, whether it is not true of the Police Department of St. Louis that "political activity is considered a matter of paramount importance to the faithful performance of duty, and moreover, a security for the holding of positions."

And along with other facts to be considered in arriving at an answer to this question there should also be taken into account the further fact that, since giving his testimony in this case, the Chief of Police has been removed from his office and degraded to an inferior rank, while Mathew Kiely, who, of all the police captains, showed himself to be at once the most zealous and the most brutal partisan, has been advanced to the place that once was held by the only member of the Police Department who was willing to testify the whole truth as he knew it in answer to questions directly calling for his knowledge.

Does not the fate of Chief Campbell show "that political activity is a security for the holding of positions in the department?"

The truth is (to quote again from the report of the Grand Jury), "Undue and unnecessary prominence was given to the question of deputy sheriffs at the polling places." The fact that these deputy sheriffs had been appointed was seized upon as a pretext by men who were eagerly searching for some excuse to justify their contemplated action. They pretended to believe that an army of these deputy sheriffs was to be engaged, whereas, in truth, only about fifty were ever appointed, and less than this number actually served. "The questionable order, issued as the result of the caucus meeting, had much greater tendency to create disturbance than to prevent trouble." These men who pretended to fear that voters would be intimated themselves resorted to most aggravated methods of intimidation, using as their instrument the organized police force of the city and opposing this force against every other constituted authority that sought to repress crime at the election.

HAWES' CLUB PADDED REGISTRATION LISTS.

In view of the fact that the Hawes' Jefferson Club and Hawes' police department are practically one and the same, and that A. M. Dockery was one of the beneficiaries of its work in November, 1900, and Rolla

Wells another in April, 1901, and inasmuch as 19,100 names were stricken from the registration lists in October, 1901, the following extract from Judge Fisse's brief is very interesting:

Mr. Hawes, when exploiting the performances of the Jefferson Club, is frequently disposed to be boastful and sometimes willing to be truthful. At page 138 he tells of the work done by the "ward organization committee" of this club in order to secure the largest possible registration by Democratic voters. Although he intimates that something was done by others, he says: "I think that the Jefferson Club, being a more complete and stronger club, did the major part of the work." Upon inspection of the account filed by the treasurer of the Democratic State Committee there was found, among other items, this one: "September 22—Given Campbell expense registration of voters $5,000." Mr. Campbell was at that time vice-president of the Jefferson Club, and the testimony shows that he received this money in behalf of the club and that it was disbursed by the club.

Mr. Hawes indignantly resents the imputation that any of the registrations thus procured were illegitimate, yet a partial canvass of this Twelfth District, which did not take in more than one-half of the entire territory within the district, discovered no less than 14,000 cases of false registration, all of which occurred in the particular districts where "Jeffersonian Democracy" most actively exerted itself. Neither Mr. Hawes nor any other of the witnesses who have undertaken to justify this expenditure of the club are able to specify any legitimate use that was made of this large sum of money, and they cannot point to any extensive registration actually accomplished except this fraudulent registration.

Notwithstanding Mr. Murphy's assertion that the Court of Appeals granted naturalization without charge and without price, the record of this State Committee shows the payment to him of the sum of $135 on account of the expense of naturalization. (See Record, page 424.) The intimate relations that existed between this State Committee and the Jefferson Club are shown by the testimony in regard to the Southern Hotel caucus. Since the records of the committee itself show its participation in the illegal naturalization done in the Court of Appeals, it does not seem altogether unreasonable to conclude, in the absence of any explanation showing other use of the money, that this sum of $5,000 contributed to the Jefferson Club for expense of registration, had considerable to do with getting on the registration list this enormous number of 14,000 false registrations.

GRAND JURY ON NOVEMBER ELECTION.

See what the Morton grand jury reported after a thorough investigation of the November (1900) election in St. Louis and don't forget that A. M. Dockery

was then the Democratic nominee for governor and that President McKinley's majority of 15,600 in St. Louis in 1896 was reduced to a plurality of 666 in St. Louis in November, 1900, although he gained thousands of votes on Bryan in Missouri outside of St. Louis in 1900, carried more states and received a larger vote in the electoral college than in 1896. Is it possible that because the election in St. Louis was stolen for A. M. Dockery for governor that the Hawes' police board and the McCaffrey election board officiating at the time were reappointed by Mr. Dockery? Is it probable that because James M. Seibert was chairman of the Democratic state committee at the time, with headquarters in St. Louis, and presided over the famous Southern hotel conference, he was appointed excise commissioner of St. Louis?

But let us see what the Morton grand jury reported about the November election wherein A. M. Dockery was the Democratic nominee for governor, Harry B. Hawes was president of the St. Louis police board, James McCaffrey was president of the St. Louis election (Nesbit) board, and James M. Seibert was chairman of the Democratic state committee, by the grace of A. M. Dockery:

FRAUD! FRAUD! FRAUD!

"The cry of fraud by defeated candidates at election is so frequent and so natural that the public is apt to become indifferent to some extent upon the subject. Some fraud may be generally admitted, but great fraud is, as a rule, disclaimed. If, in the minds of the community the feeling exists that the last election was carried out with only ordinary partiality and the result must have represented the will of the people, it becomes our duty to dispel it, as the facts, such as have been brought before us, far exceed anything in the way of irregularity any one of your jurors had ever ever previously assumed to exist. It is true that the cases where this jury has fixed distinct charges against particular individuals are not many, but so far as proving an absence of criminal wrong, it has, to our minds, added to the gravity of the situation in showing us that so complete is the system of political machinery in all its ramifications, even to coalition of opposing factions, that there has been woven a web of safety over frauds committed—fraud in the registra-

tion of voters, fraud in the returns of canvasses by clerks, and fraud in the reception of illegal ballots. To some extent the very high-handed proceedings undertaken at some of the precincts on election day were the means of preventing the detection of fraud, it having been so determined and daring that many parties, by becoming terrorized and through absolute fear, avoided making any attempt to detect it. There is no question but there has been a well planned attack upon the integrity of popular elections. Investigation into the registration list develops a most startling condition. Flagrant cases of block registration have occurred, which can only be explained by a systematic colonization of voters and an extensive stuffing of the registration lists with the connivance or active support of members of both parties, whose duty it is to correct such frauds.

"The election law contemplates the providing of equal representation in the way of clerks and judges through the recommendations of their respective party organizations. From the testimony submitted we find such recommendations to the Election Commissioners were more or less disregarded. Clerks, one of whom is a Republican and the other a Democrat, if loyal to their party and honest in their performance of their duty, could not have failed in their canvass to have discovered such large false registration.

"In reference to judges, the testimony given before us showed that in numerous cases they refused to permit party challengers to remain during the taking of the vote, and gave orders to the police to have them ejected, although they are, by law, given the right to be there as representatives of their respective parties, and by law given the especial protection of the judges.

"During election day a number of polling places were visited by bands of men to the number of fifty to sixty, who drove from polling place to polling place, and at the Third and Fourth precincts in the Twenty-Fifth ward terrorized the neighborhood, formed in line, entered the polls, and to all appearances voted, although some of them were well recognized as notorious characters, known to live outside of the ward.

POLICE PROTECT REPEATERS.

"It is a significant fact that in one of these precincts a squad of police arrived almost simultaneously with this band of men, and remained at the polling place about half an hour and accompanied them when they left.

"The entire conduct of the election, including registration, failure to canvass excluding challengers, interference with deputy sheriff's in their efforts to arrest offenders against the election law and a seeming protection to bands of undoubted repeaters must have emanated from a well-conceived and carefully planned movement.

"Owing to the fact that in the enlarged false registration we have found to have occurred, the names of the voters so registered were almost all of a fictitious character, your jury has been able to identify but a few, which accounts for the comparatively small number of indictments we have made for this offense, and also that of illegal voting, which was made difficult to detect in consequence of challengers having been ejected from the polling places. The election

frauds have been many and the ways so devious that this grand jury can not follow them to a conclusion in the time allotted it."

ONE-MAN ELECTION BOARD.

The infamies perpetrated under the Nesbit law in the interest of A. M. Dockery, the entire Democratic state ticket and "Jim" Butler, for congress, in the November election, can be imagined when it is remembered that in its original form (and it is not much better now) the Nesbit law authorized the governor to appoint the three members of the election board for St. Louis. Two of these are Democrats and they constituted a "quorum." This "quorum" appointed a "deputy election commissioner," Clarence Hoblitzelle, a close relative of President C. W. Knapp of the St. Louis Republic. The "deputy election commissioner" was vested with the power to sit in the absence of the election board, if for sickness or other cause, to be determined by the board, and could and did exercise all the powers of the board. Among other things, Deputy Election Commissioner Hoblitzelle appointed all the judges and clerks of election for the November, 1900, election—Republican as well as Democratic. These judges and clerks, under the Nesbit law, were absolute masters of the polling places, of all the election paraphernalia, and could command the police at will, who under the Nesbit law are constituted "peace officers." These judges and clerks also supervised the revision of the registration lists. The character of their work is best indicated by the fact that many of them have twice been indicted by successive grand juries for outrages committed at both the November and April elections, of which A. M. Dockery and Rolla Wells have been beneficiaries. Hoblitzelle's administration can be understood partially by recalling the fact that while the custodian of the records of the election board, election

returns were forged to throw the control of the house of delegates to the Democrats, or more especially to Ed Butler.

On the question of judges and clerks the following extract from Judge Fisse's brief is very instructive:

JUDGES AND CLERKS OF ELECTION.

This is a very extensive subject, as to which the testimony is very voluminous: To give a statement of the testimony with any degree of particularity would be an almost endless task. The force and value of the testimony, moreover, lies in its mass, and does not consist simply in its probative force as an impeachment of the proceedings at a few particular precincts. The real worth of this testimony is the exhibition which it furnishes of partisanship on the part of the Board of Elections. It will be remembered that the law requires that an equal number of judges and clerks for each election district shall be selected from the two political parties. Under the former election law the Republican commissioner had authority to select all of these judges and clerks for his own party. That right was taken away by the Nesbit law, and the power of appointment was given to the majority of the Board (this majority consisting of two Democratic members of the board), and might even be exercised by a subordinate officer of the Board, to wit, the secretary and deputy election commissioner. The testimony shows that in point of fact all the selections of the judges and clerks were made by this deputy election commissioner. (See testimony of Kingsland, p. 153; and Hoblitzelle, pp. 525-527.)

These gentlemen say that as a matter of "courtesy" the Republican managing committee was asked to submit names of men whom they desired to have appointed as judges and clerks, but the testimony makes it clear that the courtesy consisted only in preferring this request and did not extend to the carrying out of the implied promise that appointments would be made from this list. The evidence conclusively shows that in the selection of Republican judges and clerks the advice of Ed Butler, Bobby Carroll, Jeff Prendergast and Ed. Guion, Judge Taafe and others whose names and rank in the Democratic organization have become familiar through the account of the Southern Hotel caucus, was readily accepted in the place of the suggestions which came from the constituted committee of the Republican party.

It developed that even the "courteous" request to submit names was a mere trap. The committeemen were invited to submit a list of five names, and to indicate upon the list, by proper marks, the places for which they recommend the men, whether judges or clerks, and were also requested to arrange the names in order of their preference. So far as the Twelfth District is concerned few appointments were made from the list of names submitted by the committee, and, strangely enough, in the majority of cases where appointments were made out of this list the men selected were not the ones marked by the committee, but were those who stood lowest in the order of preference.

If the recommendations of the Republican committee were preserved in the office of the Election Commissioners, they have been so cleverly kept out of the way that it has been impossible to obtain any inspection of these lists at any stage of this proceeding. It has proved equally impossible to get any information from Mr. Hoblitzelle concerning the reasons why he did not make use of the committee's suggestions or any explanation of the reasons why he made the particular appointments which became effective. In fact, there is no complete record in the Election Commissioner's office to show what men acted as judges and clerks, and it is certain that during the period of service in a good many precincts the Board of Election officers did not remain the same for even any single period of twenty-four hours, many persons who actually served as judges or clerks being merely volunteers who were really without any authority at all under the law.

Several hundred of the men who acted as Republican judges and clerks have been called as witnesses in this case. Other witnesses have been examined concerning certain men who acted as judges and clerks. It is extraordinary what a large proportion of these men, put into place as Republicans, were recognized by all their acquaintances as staunch Democrats. It is not less remarkable that with almost entire unanimity these men, put into responsible places, ostensibly because of their own standing as Republicans, being asked if they voted the Republican ticket or for any of the Republican candidates at this election, either declined to answer the question at all or else flatly answered no. The pursuit of the investigation as to these judges and clerks shows that in many cases men known to be Democrats, having their homes in one ward, became registered in another ward and were in those other places appointed as Republican election officers. We forbear to give references to the pages of the testimony where will be found supporting statements of witnesses to establish what has been said, because it is almost impossible to open the record at any place without having the eye fall upon some testimony of this sort. We forbear to make such references for the further reason that the disclosures obtained during the recount concerning the conduct of these judges and clerks of themselves amply establish the truth of all that is here charged.

The case of the Sixth Ward is typical. The Republican Committeeman here managed to secure the appointment of men of his own selection as election officers in about one-half of the precincts of the ward. Men not Republicans and objected to by him were appointed by the Board in the remaining precincts.

At the election everything was orderly at the places where men selected by the committeeman officiated, while the record of riot and wrongdoing at the other precincts in the ward is only surpassed by that made in the distinctively Butler wards—viz., the Fourteenth and Twenty-third.

The testimony of Hoblitzelle attempting to justify the selections for the places in this ward where disorder reigned and the showing as to the circumstances under which the competitive list of judges and clerks put against the suggestions of the regular committeeman were delivered to the Board of Election Commissioners is unique, but it can not be said to show observance of that honor which should con-

trol public officers entrusted with the duty of managing public elections. (See Record, pp. 525-526, and also p. 1526.)

Many of the men appointed as judges and clerks out of this competitive list have on their own showing in this record convicted themselves of inefficiency and profligacy.

The foregoing analysis of the evidence in the Horton-Butler case and the grand jury report show conclusively just how "faithfully" the laws have been "executed" by appointees of the governor of Missouri in St. Louis, in compliance with the constitution.

EXCISE COMMISSIONER.

But there is another branch of the state government in St. Louis, although in no other part of the state—the office of excise commissioner. Referring to this office, the Morton grand jury said:

We consider the position of Excise Commissioner one of the most important of any in our city. The position is one clothed with great powers, almost of an arbitrary character. Where much license and power are given, good judgment and integrity of character are necessary qualifications for proper service, and this grand jury earnestly requests of Hon. A. M. Dockery to give this appointment more than usual consideration, with a view of filling the place with a man of undoubted standing and reputation and business stability. We recommend the changing of the law making the pay of Excise Commissioner wholly one of salary.

Attention has been directed to the fact that Gov. A. M. Dockery reappointed Harry B. Hawes and James McCaffrey as president, respectively, of the St. Louis police and election boards, notwithstanding their record as presented by the Morton grand jury and the evidence in the Horton-Butler case. It should be noted that in the face of the same honorable grand jury's "earnest request" that "the Hon. A. M. Dockery fill this place (excise commissioner's office in St. Louis) with a man of undoubted standing and reputation and business stability," Mr. Dockery appointed James M. Seibert first as "temporary" and then as "permanent" excise commissioner. (The statute and constitution, of course, both provide for "permanent" officers in St. Louis.) Incidentally it must be remembered that

although the appointment of "a man of undoubted standing" was requested by the Morton grand jury for the specific purpose of suppressing the atrocious "wine-room evil" in St. Louis, not a single resort of this hellish character has been closed since Mr. Seibert's appointment as excise commissioner.

POLICE AND STREET RAILWAY STRIKE.

Again adverting to the record of the Hawes' police board during the Stephens' administration. It would be incomplete without a reference (lack of space prevents more) to its conduct during the deplorable and disastrous street railway strike in St. Louis early in the summer of 1900. Life and property was menaced as never before. The police department—that branch of the government charged with the responsibility of enforcing law and preserving order—was absolutely in control of the Hawes' police board. The police department had just been reorganized, regardless of expense, either as to the number of employes or their salaries (the Judson police law placing no restrictions on the police board's authority over the city treasury). What did this Hawes' police department do when the first emergency arose calling for prompt and efficient work in the protection of life and property? Mr. Hawes became the attorney of the strikers. Policemen stood in large squads on the street corners and indifferently witnessed the destruction of life and property and the complete paralysis of the business of the city. The person or property of employer, employe, publican or merchant prince, interested or disinterested in the strike, were not furnished the protection of government guaranteed by the constitution and paid for by every taxpayer or taxpayer's patron. Thus was the efficiency of the Hawes' police department, or Jefferson Club machine, tested! Such was and ever will be the logical result of the

prostitution of governmental agencies to private, personal or political ends! And yet A. M. Dockery reappointed Harry B. Hawes president of the St. Louis police board.

RECORD OF THE DOCKERY MACHINES.

But Mr. Hawes' record and that of the police and election boards have been told only insofar as they relate to the Stephens' administration. How about the conduct of the police and election boards, or machines, since Gov. Dockery's inauguration and their reappointment? Just as these machines were used to steal the election in St. Louis in November, 1900, for A. M. Dockery for governor, "Jim" Butler for congress and to make Republican votes in the legislature from St. Louis fewer, to prevent amendment of the cheating Nesbit and police laws, so were the same Hawes' police and McCaffrey election machines used by A. M. Dockery and David R. Francis to force the nomination of Rolla Wells, a Democratic bolter and Francis' protege, for World's Fair mayor upon the Democratic party. Zach Tinker, Mr. Wells' opponent for the nomination, publicly charged that the primaries had been dominated by the Hawes police machine in the interest of Rolla Wells.

WORLD'S FAIR MAYOR ELECTION.

But the April election for World's Fair mayor! Gov. Dockery, acting in accord with Ed Butler, David R. Francis and his personal organ, the St. Louis Republic, prevented any amendment of the Nesbit law that would permit a revision of the padded registration list referred to by the Morton grand jury. In October, 1901, 19,100 names were stricken from the registration lists. Is it possible that 100,000 citizens (one voter is supposed to represent a family of five

persons) removed from St. Louis or died between the April, 1901, or last municipal election, and October, 1901, charter amendments election? Now, remember! All these spurious 20,000 names were kept on the registration lists by A. M. Dockery (in whose interest they had been voted the previous November) and Rolla Wells was elected World's Fair mayor of St. Louis not only with such registration lists determining the citizens' right to vote, but with Hoblitzelle judges and clerks of election that had served at the preceding November election and who originally padded and canvassed the padded registration lists and who have since been twice indicted. Read the following extracts from the February grand jury report, presented on March 29, 1901, that body, like its predecessor, having been thoroughly representative of the best citizenship of St. Louis; Mr. C. F. Blanke, a leading business man, having been foreman:

BLANKE GRAND JURY REPORT.

In compliance with your instructions, we have given much time and careful consideration to the investigation of the registration and election frauds. We are appalled, as our predecessors no doubt were, at the unmistakable evidence of the most flagrant, defiant and audacious violations of the sanctity of the ballot-box, that were committed in the election on November 6, last.

THE DOCKERY ELECTION.

It was in evidence before us that fraudulent registration was carried on to a very great degree, we believe that **many thousand fictitious names were put upon the registration books, and a very large number of these fictitious names were voted.**

While it is practically impossible to get the names and find indictment against all the persons guilty of perpetrating these frauds, we can not but feel that great carelessness, if nothing more, was practiced by the **authorities,** in permitting these serious violations of the law.

It was in evidence before us that even greater carelessness and, in many instances, flagrant violation of the law was committed by some of the **judges and clerks of the election,** in connection with the **revision** of the **registration lists,** which were held at the precinct booths on the **16th day of March, 1901.**

JUDGES AND CLERKS INDICTED.

The law provides that the clerks shall canvass together, each election precinct, each clerk having a copy of the list of the original registration, and report to the judges of election sitting as a board of revision, the names of all persons not found in their respective precinct personally or who do not respond to notices left at their address to show cause why their names shall not be stricken from the registration list. **In many instances the clerks have not performed their duty,** and in **many others** the **judges have refused to make the erasures and corrections** that **were found necessary in order to purge the registration list of the illegal voters. In every such case where the evidence was found sufficient, we have found indictments for neglect of duty.** There is evidence of a number of cases of incompetency on the part of precinct election officers which should and we believe could be avoided, if an honest effort were made by all political parties to appoint only qualified persons to serve as precinct election officers.

From the evidence presented to us, we believe there is a well organized band of men, mostly those known as police characters, with many aliases, without home or permanent place of abode, who systematically vote on fictitious names, that are on the registration lists. These men, we believe, are led and directed by trusted lieutenants of certain prominent politicians, who are more culpable than the real perpetrators of these crimes against the sanctity of the ballot. We made great effort to get specific evidence against these illegal voters, and present indictments against them, but, owing to their many aliases and migratory natures, our efforts were rewarded in but few cases.

As previously stated, we regard the leaders and instigators of these crimes as most culpable. We endeavored to obtain the evidence that would justify indictments against these arch conspirators, but were unable to get enough of such evidence as is required by the courts to convict.

We cannot conceive of a more serious state of affairs than that which existed in this city at the time of the election in November, and which we believe still exists to a very great extent.

We feel it our duty as the only official body having jurisdiction in such matters to call the attention of all honest citizens to this appalling state of affairs, with the hope that public sentiment may be aroused. We would suggest that all judges, clerks and challengers, and all citizens who are interested in honest eections, make use of every opportunity that may be lawful, to obtain clear and specific evidence of individual cases of fraud and by making memoranda at the time, or as soon after as may be, of names, dates and places, or by charging their minds with the facts and presenting such information to the Grand Jury or to the courts to the end that such frauds may be punished.

FUTURE ELECTIONS FRAUDULENT.

We deem it our duty to inform the public that the registration books as now constituted under the present law, must remain as they are for four years, with only such revision as that provided for from time to time by the precinct elec-

tion judges, sitting as a board of revision. Unless these periodical revisions are carried out more thoroughly, effectively and honestly than those that were brought to our attention in the revision of March 16, it will be possible for much of the illegal voting of last November to be repeated at subsequent elections. We believe that illegal voting can be reduced to a minimum if the managers and candidates of all political parties will unite in issuing a strong public declaration to the criminal classes, to perpetrators of frauds at elections, in the interest of any party or candidate, that they will be summarily dealt with.

We recognize that the purity of the ballot box is the safeguard of the Republic and cannot condemn in too emphatic language any attempt to prostitute the honesty of our elections. We would recommend that persons should not be allowed to register until they had resided in the election precinct six months or over preceding an election, and the registration books should be closed sixty days before each election, and a complete list of the registry should be printed and posted at the polling places at least ten days prior to the election.

The following indictments were returned:

Moses Bareech, Joseph Sheridan, J. F. Evans, and Diedrich Norden, neglect of duty as judge of election.

Frank Carraher and John Tracy, neglect of duty as clerk of election.

E. J. Coff, John W. Whalen and Edward Perringer, neglect of duty as judge of election.

Joseph Franklin, James W. Johnson, Chas. J. Bonroe and Frank Owen, neglect of duty as judge of election.

Bernard Fries, John J. Maurer, Adolph Eppinger and John J. Callahan, neglect of duty as judge of election.

H. F. Hodnet, Edward 1. Feehan, Joseph Reis and Joseph Watts, neglect of duty as judge of election.

C. L. Hogan, unlawfully acting as challenger.

Michael J. Kelly, Michael E. McFadden, Charles Bruetner and Fred Vogelsang, neglect of duty as judge of election.

Paul F. Mohan and Otto H. Kohrs, neglect of duty as judge of election.

Patrick McDermott and Edward Rice, neglect of duty as clerk of election.

Charles Steffey and Albert G. Smith, neglect of duty as clerk of election.

The foregoing grand jury report was presented on March 29, 1901, as stated. The election for World's Fair mayor of St. Louis was held three days later.

The following effective card appeared in a St. Louis afternoon paper on March 30, two days prior to the election:

THE GRAND JURY VS. WELLS

ROLLA WELLS:

"But if the Nesbit law was ever objectionable, those objections have now been removed by amendments by a Democratic State Legislature, and, according to the testimony of all disinterested persons, NO BETTER ELECTION LAW EXISTS IN ANY STATE IN THE UNION."—Rolla Wells, from The Republic, March 21.

"The Governor of our State signed the bill as amended and it is now a law, and I WILL TELL YOU THERE IS NO FAIRER ELECTION LAW IN THE COUNTRY." —Rolla Wells, from The Republic, March 24.

THE GRAND JURY:

"We can not conceive of a more serious state of affairs than that which existed in this city at the time of the election in November, AND WHICH WE BELIEVE STILL EXISTS TO A VERY GREAT EXTENT.

"We feel it our duty as the only official body having jurisdiction in such matters to call the attention of all honest citizens to this appalling state of affairs with the hope that public sentiment may be aroused.—Grand Jury Report of March 29.

DESPOTIC RULE IN MISSOURI.

EVEN THE NESBIT LAW VIOLATED.

The January grand jury told the people of the glaring frauds and outrages perpetrated by the Stephens-Dockery election and police boards, directed by State Chairman Seibert, in the November, 1900, election. The February grand jury corroborated its predecessor's findings and added much more, indicting judges and clerks who had officiated at the November election. The April grand jury indicted three judges and one clerk for making false returns, one man for fraudulent voting and one for voting in two precincts at the April election.

But the most high-handed outrage perpetrated under the supervision and responsibility of the Stephens-Dockery election and police boards in St. Louis was the prevention of regularly commissioned Republican judges and clerks from officiating at the April election. These clerks had been appointed in place of criminal election officers, after the hardest kind of a fight at the session of the 1901 legislature. Governor Dockery consented to an amendment of the Nesbit law providing for the appointment of new judges and clerks for the April election with the readiness and eagerness which characterizes a child when he is about to have a tooth drawn. But while the governor reluctantly consented to so amend the Nesbit law, after he had done so, his police and election boards made certain that the new judges and clerks did not serve in many precincts, and that those who had served at the November election and some who had been twice indicted for fraud, did serve in their places. The list of those Republican judges and clerks commissioned under the amended Nesbit law who were not permitted to officiate at the April election when Rolla Wells was declared to have been elected World's Fair mayor of St. Louis follows. It

is noted by representative citizens in the closing days of the year 1901 as a remarkable circumstance that Mayor Wells seems determined to place the responsibility for the use of improper anti-toxin in St. Louis, the defendant city official being a Republican, but although infamous and established frauds and crimes were committed by the Democratic police and election officers when Rolla Wells was given the certificate of election, he has been silent as to responsibility or as to the facts in the case. Rolla Wells is ex-officio a member of the St. Louis police board, but as the same Rolla Wells was the beneficiary of the frauds and crimes perpetrated by the Democratic police and election department in the April election, of course Rolla Wells has nothing to say about fixing the responsibility. Here is a list of the Republican judges and clerks who were prevented by Democratic election officials and the Democratic Jefferson Club police from serving at the April election, even the Nesbit law not being "faithfully executed" by the governor, as the constitution requires:

AUTHORIZED REPUBLICAN JUDGES NOT PERMITTED TO SERVE.	THOSE WHO WERE PERMITTED TO OFFICIATE.	Ward.	Precinct.
Geo. W. Thoensing, 1914 E. Warne	W. W. Lounners	1	8
Wm. H. Stunkel, 3940 N. 9th	John H. Hutchinson	2	13
Chas. Gerock, 1213 O'Fallon	J. H. Vance	3	11
Herman Dutuy, 5045 6th	Wm. Denoin	5	5
Jacob Andrews, 17 S. 13th	Wm. Minzer	5	9
Earnest B. Wartman, 900 S. 2d	Bernard M. Fries	6	1
Edward Rieschman, 914 S. 2d	Louis Klags	6	1
Frank Carraher (Dem.), 216 Chouteau	L. Mestes	6	1
Anton Wilke, 740 S. 7th	Robert L. Sargent	6	3
Julius C. Koysing, 713 Chouteau	John Henry	6	3
H. Auggermudler, 1201 Chouteau	John L. Butler	6	3
Louis D. Putnam, 908 S. 10th	Joseph Franklin	6	8
James E. Hines, 1717 Chouteau	James F. Evans	6	13
Julius Habernicht, 1731 Chouteau	Moses Baruch	6	13
Democrat, not named	James Sheridan	6	13
Aug. H. Wiedmann, 3407 S. Jefferson	Wm. G. Dierkes	10	6
Michael W. Wootli, 3528 Gravois	Nich. Iwig, Jr.	10	11
Edward Thierry, 2759 Caroline	E. Fischer	13	7
Thos. R. Flomers, 1417 Market	Ralph Gorth	14	1
Cass F. Dulany, 1605 Market		14	1
Oscar G. Wells, 21 S. 15th	E. K. Baldridge	14	2
J. Luther Secor, 107 18th		14	3
John Gray, 108 N. 22d	Henry Carroll	14	4
A. E. Mueller, 313 S. 21st	John J. Lettu	14	5
John Huesli, 20A S. 23d	John Flannery	14	8

AUTHORIZED REPUBLICAN JUDGES NOT PERMITTED TO SERVE.	THOSE WHO WERE PERMITTED TO OFFICIATE.	Ward.	Precinct.
Ernest Link, 2303 Eugenia	Chas. A. Lewis	14	8
Louis Schodt, 2631 Laclede	Alex. H. Haug	14	9
Louis Kennell, 2710 Laclede	P. E. DePriest	14	10
H. L. Rostelman, 216 S. Leffingwell	R. S. Vaughan	14	10
Fred G. Kloker, 2131 Morgan		15	9
Jos. Whalen, 1009 N. 20th	M. J. Addis	15	9
John E. Morische, 2001 Cass	Wm. E. Harding	17	2
Chas. Bodenstedt, 2322 Madison		17	4
John A. Wasser, 2320 Warren		17	6
B. H. Burman, 2319A Warren		17	6
Robert H. Bruer, 2514A University		17	8
Fred Rayser, 2512A University		17	8
Republican, not named		20	7
Jos. Whealen, 2926 Papin	B. Buchardt, Jr.	22	11
H. W. Bick, 3319 Pine	Chas. McShane	23	2
Michael J. Sullivan, 2920 Papin	Albert Miller	23	2
James Woods, 507 S. Ewing	W. C. Grogan	23	3
W. A. Howard, 327 S. Garrison	Henry Meyer	23	3
Prentiss Trowbridge, 3047 Clark	Jos. Watts	23	4
Walter E. Jones, 3008 Laclede	Jos. Ries	23	4
Edward C. Kohn, 3417 Clark		23	6
Alfred Webb, 4221 Page	W. G. Tufford	26	7

Eight of the foregoing wards were in the twelfth, or Butler, district, where most of the election frauds were and are perpetrated, including the "toughest" part of the city, where residents are least cognizant of their rights under the law and stand most in awe of the police.

NESBIT AND POLICE LAWS.

DOCKERY AND BUTLER PREVENTED EFFECTIVE AMENDMENT OF DISFRANCHISING ACTS AT LAST LEGISLATIVE SESSION.

Amendments Submitted by Republicans and the Democratic Caucus Bill.

Sam Cook's Attempt to Insure Honest Elections Frustrated by Dockery.

REPUBLICANS APPEAL TO WASHINGTON, BUT ARE BETRAYED BY "FRANCIS REPUBLICANS."

Election of a Republican Legislature and Supreme Court in 1902 the Only Remedy.

Much has been written and said about the "infamous", "cheating", "outrageous", "disfranchising" Nesbit or "Goebel" election law of Missouri. The adjectives applied to that statute cannot be made too expressive or too numerous to convey to the honest citizen's mind the true character and intent of a measure deliberately designed, with its twin companion—the St. Louis police law—to destroy the precious constitutional or American right of suffrage in St. Louis, and thereby nullify the expressed will of the so-called "sovereign" people of Missouri outside of St. Louis.

If there is such a thing as a "paramount" issue in politics or public affairs, that issue at this time must

certainly be the Nesbit and kindred disfranchising laws in Missouri. The right to vote and to have the citizen's ballot counted as cast is the basis, the very corner-stone of the American system of popular and representative government. What does or can it avail the public welfare if after convicting unworthy public servants the people are deprived of the means to punish them—the citizen's ballot? Therefore, it follows that as vital as are the pending issues, such as the misapplication and unconstitutional use of the state school and interest funds and the perpetuation of the state debt, the unconstitutional system of indirect or unlimited taxation, etc., none amounts to a hill of beans if the sovereign people are denied their only means to redress the wrongs committed by their governmental agents or ministers.

It is of not the slightest consequence what the vote of the state outside of St. Louis, Kansas City and St. Joseph may be (the latter two cities also have partisan state election and police laws) the designers and manipulators of the Nesbit and police laws, applicable to St. Louis alone, can hold back the returns in St. Louis until the discredited "state-house ring" has heard from the rural districts of the state, and then manufacture a "greatly reduced" Republican plurality or a "sweeping" Democratic majority in St. Louis, as the "ring's" needs require.

ENTIRE STATE AFFECTED.

Therefore, while the Nesbit and police laws apply alone to St. Louis, they vitally concern every village and hamlet in the state, and not until every fair-minded citizen of Missouri—from McDonald to Clark County and from Pemiscot to Atchison—regardless of his political convictions, votes to send legislators to Jefferson City to wipe the Nesbit and police laws off the statute books, the "state-house ring" will con-

tinue to perpetuate itself in power. As long as these laws remain in force the "ring" can count out an unlimited number of Republican votes and count in an unlimited number of Democratic votes in St. Louis and thereby destroy the force and effect of every vote cast outside of St. Louis against the "state-house ring" and all that that designation means in Missouri.

But elect Republican members to the next legislature and three Republican judges on the Supreme bench and you repeal the iniquitous election and police laws. The right to cast one vote and have that vote counted as cast once restored in all the large cities, the party in power—Democratic, Republican, Populist, Municipal Ownership, or any other—can not and will not betray their public trust with impunity. Such dominant party will ever know that a day of reckoning is sure to come and that to again receive a vote of confidence from a majority of the people of the state it must go before such people with a record showing it has respected, not violated or betrayed that confidence.

You say: "If the 'state-house ring' can count us out all over the state by counting out the Republican votes of St. Louis, what's the use of voting at all?"

The answer is simple. The "state-house ring" can do that in St. Louis in the election of a state ticket, or member of congress from one of the St. Louis districts; but the "ring" cannot count in more representatives and senators in the state legislature from St. Louis than the constitution allows. Sixteen members in the house and six senators is the allotment to the city of St. Louis under the new apportionment. Three of the senators from St. Louis—Smith (Rep.), Collins (Dem.), and Schoenlaub (Dem.), are "holdovers," so only three senators are to be elected from St. Louis next November. As there are 140 members in the

house and 3 in the senate, with seventeen of the latter to elect every two years and all of the former, the rural districts have it in their power to determine whether election and police laws shall remain on the statute books to enable the "state-house ring" to count out Republicans, Silver Democrats, Populists, Munipal Ownership Party followers or any class of citizens not in sympathy with its unconstitutional and ruinous policies and practices. Moreover, unless all political parties save the one that indorses the "ring" and it will not be a majority of the honest Democrats next November) join in electing an anti-Nesbit law legislature, no party can cast and have counted its vote as cast in St. Louis, Kansas City and St. Joseph in the future. More than this, it will be a question of only a short time before the "state-house ring" applies the Nesbit and police and excise and other imperialistic laws to the smaller cities and counties of the state, if the "ring" is sustained by such counties and cities in the perpetration of its villainies and the abuse of delegated power.

It was the rare privilege and opportunity of the editor of this book to fight the Nesbit law in its inception at Jefferson City, to vigorously oppose it and its creatures and defenders on the stump and in the Globe-Democrat in the last campaign and to fight hard against the greatest odds for its repeal or amendment at the last session of the legislature. Consequently the record that follows can be depended upon as correct and comprehensive, although lack of space limits it to a certain extent.

NESBIT AND POLICE LAWS.

On page 16, last State Republican campaign book—the "Hand-book on Missouri Politics"—will be found the following:

"Home rule" is a cardinal principle of Democracy. The Democratic platform declares "in favor of local self-govern-

ment." The party that adopted this platform enacted the Nesbit law a little more than a year ago. It thereby placed the election machinery of St. Louis in the hands of one man—the Governor. He may disfranchise any number of voters at will. How? Read:

Section 3. Such election commissioner (appointed by the Governor) shall appoint and commission one deputy election commissioner, who shall hold his office during the pleasure of said commissioners, and shall be vested with all the powers and duties of the commissioners during their absence, sickness or inability to perform their duties: said deputy election commissioner shall also be the secretary of the board of election commissioners. (Nesbit Law.)

The same democratic party enacted a new police law for St. Louis. This act opens the city treasury to a Police Board appointed by the Governor. No restriction whatever is placed upon the amount this board may appropriate. The Municipal Assembly is compelled to make the appropriation demanded. (It will do so or go to jail.) Similar laws were enacted by the same Democratic party for Kansas City, but not quite so drastic.

The consequences of the operation of the Nesbit and police laws are pointed out in successive grand jury reports and in the sworn testimony in the Horton-Butler twelfth congressional district election contest. Lack of space and time prevents more than a brief analysis of the Nesbit law, the attempt to amend it and the police law at the last session of the legislature and the result.

That the public may know where the responsibility belongs for failure to amend the Nesbit law so as to insure an honest election for World's Fair mayor, and all other elections in St. Louis, including state, the following data is published, taken from the official dockets (1901) of the house and senate:

January 16.—Amendment to St. Louis Police Law.

Senate bill 61, introduced by Senator Rollins (Rep.), of St. Louis, providing that no police officer shall, at any election precinct intimidate, assault or drive away from the polls any qualified voter, or prevent, or attempt to prevent, any such lawful voter from exercising his elective franchise, or shall disobey any lawful order of a judge of election, etc. Read first time on January 6, reported unfavorably on January 30, and "laid over informally" January 31, since which time nothing has been heard of the bill.

Amendment to Nesbit Election Law:

January 17—Senate Bill 72, introduced by Senator Rollins (Rep.), providing that" at least sixty days prior to the first city or state election after this act becomes a law, such board

of election commissioners shall select and choose four electors as judges of election for each precinct in such city" and two clerks of election for each precinct, two of said judges and one of said clerks to be members of the party of opposite politics to the other two judges and clerks and the judges and clerks to be selected by the election commissioners from lists of six names for each precinct, to be submitted by the respective city central committees. This bill also provided for the filling of vacancies in the list of judges and clerks, and contained an emergency clause. It was passed on February 5, but after a Democratic caucus had been held in the House, at which sham amendments were adopted, the Rollins bill was indefinitely postponed in the House.

Amendment to St. Louis Police Law:

February 8—House Bill 497, introduced by Mr. Wilson (Rep.), of St. Louis, being a duplicate of the Rollins bill prohibiting police interference at the polls. Unfavorably reported on March 1, since which time it has been "dead."

Amendment to Nesbit Election Law:

February 8—House Bill 498, introduced by Mr. Wilson (Rep.), providing for the appointment of Republican judges and clerks by a Republican commissioner appointed by the Democratic Governor, without ratification by the Democratic majority of the board, with the Republican commissioner vested with power to fill vacancies where they occur in the list of Republican judges and clerks. Reported unfavorably on March 1, and "dead" ever since.

Amendment to Nesbit Election Law:

February 8—House Bill 509, introduced by Mr. Wilson (Rep.), providing that the election commissioners shall, on Thursday, Friday and Saturday of the week prior to the week in which a general or presidential election is held, sit as a board of appeals, to place upon the registry any person improperly refused registration by the precinct officer, or those whose names were wrongfully stricken from the registry. This bill abolished that clause in the Nesbit law which authorizes the election board, sitting as a board of appeals, to "register as qualified voters such persons as may make application who failed to appear before the board of registration because of sickness, forgetfulness, absence from the city or other reasonable cause at the time of precinct registration." This bill was unfavorably reported on March 5 and "killed."

February 11—House Bill 510, introduced by Mr. Pareira, of St. Louis, re-enacting that section of the election law of 1895 providing for the confirmation of judges and clerks appointed by the election commissioners by the circuit court. The bill was unfavorably reported on February 28, and nothing has been heard of it since.

To repeal the Nesbit Election Law:

February 11—House Bill 548, introduced by Mr. Abercrombie (Rep.), of St. Joseph, re-enacting the entire election law of 1895, passed by a Democratic Senate and a Republican House and signed by a Democratic Governor—William J. Stone. This bill was drafted by the St. Louis Public Safety Committee, composed of one hundred representative citizens of both of the dominant political parties. It was advocated by the St. Louis Republic and passed at an extra session of the legislature, called by Governor Stone. Republicans as

well as Democrats were commended by the Republic, editorially, for their creditable work in pacing the election law of '95 on the statute books. No complaint was ever filed against it save the criticism that Julius Wurtzburger was appointed as the Republican Election Commissioner, and under his minority administration it was charged that the two Democratic Election Commissioners were controlled and the election made fraudulent because of his overpowering influence as one of the three members of the Election Board. As much as the Republic has criticised Wurtzburger, it has never mentioned the fact that when he was appointed as the Republican Commissioner, Hugh Brady, one of the most notorious election manipulators in St. Louis, was appointed as one of the Democratic Commissioners. The Abercrombie bill was voted down by the House majority when offered as an amendment to the Democratic caucus bill.

DEMOCRATIC CAUCUS BILL.

What amendments to the Nesbit law did the Democrats adopt in a secret caucus? Here they are:

1. An amendment abolishing the office of "Deputy Election Commissioner," making Clarence Hoblitzelle secretary of the Election Board, with power to "exercise a general supervisory control and direction over the office and clerical force appointed by said Commissioners, subject to such rules and regulations as the board may, from time to time, provide." The forgery of the election returns last April (1901), giving the control of the House of Delegates to the Democrats, was committed under this new arrangement. The forgery was proved and acknowledged, but neither Mayor Wells nor Gov. Dockery placed the responsibility, another illustration of how the laws of Missouri are not "faithfully executed," as the constitution requires of the Governor.

2. An amendment providing that "such Board of Election Commisioners shall at least sixty days prior to the first city or state election after this act becomes a law," select and choose judges and clerks. Just three weeks remained before the April (1901) election, so that new judges and clerks could not be appointed for that election under that amendment. That the authors of the Democratic caucus bill were not unmindful of the April election is shown by the emergency clause attached to the caucus bill. In other words, the caucus bill declared that judges and clerks should be appointed, but at least sixty days before the April election—an impossibility.

Ed Butler wanted the indicted November judges and clerks for Rolla Wells, and as D. R. Francis wanted Wells elected, Governor Dockery gave Mr. Butler what he wanted, although making a pretense at amending the law so as to appease an outraged community.

3. An amendment authorizing the election board to sit as a board of appeals on Thursday, Friday and Saturday of the week prior to the week of the election, with authority to hear appeals of persons whose names had been stricken from the registration lists, or who had been denied the right to register.

4. An amendment wiping out registration at the City Hall between the completion "of the registration—three days before the April election—and the next following election.

5. An amendment providing for the pay of judges and clerks of election and registration and clerks and assistants employed by the election board (not limited) out of the city treasury, as well as the salaries of $2,500 a year for each of the three election commissioners, $2,000 for the secretary and "all office and other expenses incurred by said board of election commissioners, and all office and other expenses and all costs and expense of registration and election in said city."

SAM COOK FOR HONEST ELECTIONS.

To the credit of Sam B. Cook, secretary of state, be it said that he favored an honest and fair amendment of the Nesbit law and before the senate election committee he advocated the following changes in the Democratic caucus bill:

No. 1. Striking out the provision in the caucus bill providing for ratification by the Democratic commissioners of the Republican judges and clerks selected by the Republican commissioner named by the Democratic Governor.

2d. An amendment providing for the removal of the Republican judges and clerks by the Republican members of the Board for cause.

3d. An amendment striking out the words "at least sixty days prior to the first city or state election after this act becomes a law," and inserting in lieu thereof the words "as early as practicable."

4th. An amendment providing that "on Tuesday and Wednesday of the week prior to the week in which the city election is to be held, in the year 1901, said election commissioners shall sit as a revision board and shall take up and consider and act on any applications to have names erased from the register of any precinct and they shall consider and act on all applications that are then presented in the form specified in section 7237, Revised Statutes, and in cases where satisfactory evidence is furnished to sustain the charges in such applications, such board may strike out any such name or names from the register. Immediately after acting as such board of appeals, said election commissioners shall cause supplemental lists of names to be stricken from or added to the register to be printed and published in the form and manner specified in section 7228. The register and supplemental list of voters may be inspected and copied at any time during business hours by an orderly and respectable person."

In a few words, the amendments alvocated by the Democratic Secretary of State before the Democratic election committee of the Senate, provided for the appointment of Republican judges and clerks of election by the Republican commissioner; provided for the removal of Republican judges and clerks for sufficient cause by the Republican commissioner provided for the appointment of new judges and clerks to supersede the discredited November (1900) judges and clerks for the April (1901) election; provided for a revision of the padded registration lists of November, 1900, for the April, 1901, election; and finally provided for the publication of revised registration lists and the supplemental registration lists for the information of the citizens of St. Louis.

The Democratic caucus bill does not change the discredited election machinery of November, 1900, in the least. Even the "bluff" originally suggested in the way of an attempt to abolish city hall registration was not made good in the caucus bill, as will be observed by the following provision:

Section 7226. Said election commissioners shall have the power and are hereby authorized to register any person or persons in said office of election commissioners, and re-register or transfer any person or persons who may have changed their residence from one ward to another ward, or from one precinct to another in any ward, at any time, except on such day or days on which a precinct registration may be held in said city, and except such days as intervene between the completion of the registration herein provided for and the next following election; a change of residence from one place in a precinct to another place or part thereof shall not necessitate a re-registration or transfer, or deprive the registered voter of his right to vote in said precinct. Such registration of voters shall be done in the same form and manner (at the City Hall), and in the same books as provided for the registration of voters in the precincts by the judges of election sitting as a board of registration in such precincts."

Precinct registration on March 16, the only registration in the various precincts in the city provided for the April (1901) election, was conducted by the judges and clerks who padded the lists in November, 1900 The three days' canvassing provided for by the Nesbit law was conducted by the discredited November clerks, who canvassed and endorsed the work of the judges and clerks who padded the registration lists in November, 1900. Subsequently, under oath, Harry B. Hawes testified that the registration in the main was done under the supervision of the Jefferson Club. And A. M. Dockery and Rolla Wells were the beneficiaries of these padded registration lists, from which 19,100 names were stricken in October, 1901.

PLANNED TO STEAL ELECTIONS.

It will be noticed that all of the amendments to the infamous Nesbit law submitted by Republicans at the 1901 session of the legislature were offered in the months of January and February, in plenty of time to enable the Dockery administration and the Democratic majority in the general assembly to change the Nesbit law and insure an honest election for World's Fair mayor if it was not the palpable and persistent purpose of the machine democracy and the St. Louis Republic crowd to steal the election in April and give Rolla Wells the certificate of the office of mayor, whether honestly elected or not.

The delay in amending the Nesbit law so that judges and clerks convicted of fraud in the November election might be removed before precinct registration and canvassing and revision thereof was held, cannot be attributed to any act of the Republican representatives in the legislature. For the first time the St. Louis Republic acknowledged the necessity of a provision for removal of indicted Hoblitzelle judges and clerks in the Nesbit law on March 11, 1901, when precinct registration was to be held on March 12, canvassing on March 13, 14 and 15, and revision on March 16.

Governor Dockery was advised of the fact that the discredited and grand-jury-denounced and indicted November judges and clerks could not be removed under the Nesbit law in February, 1901. All of the amendments introduced in the legislature, except the election law of 1895, were submitted to him for consideration in February. A public interview was sought from the governor the same day (in February) a Globe-Democrat correspondent interviewed former Governor W. J. Stone on the election law of 1895 and its successor, the Nesbit act, in which interview

NESBIT AND POLICE LAWS.

Gov. Stone pronounced the election law of 1895 eminently fair and the Nesbit law undesirable. Governor Dockery, however, declined to be interviewed, saying he would send any communication he had on the subject to the general assembly.

PETITION TO WASHINGTON.

The determination of Governor Dockery, acting under the direction of the St. Louis Republic, its director —David R. Francis—and Col. Ed. Butler, to prevent amendment of the Nesbit and police laws restoring the right of suffrage in St. Louis, being so apparent, the following petition was circulated among the Republican members of the legislature for their approval and signature, both of which it received almost unanimously, lacking one vote:

To the Hon. William McKinley, President of the United States, Washington, D. C.

Jefferson City, Mo., Feb. 27, 1901.—The undersigned Republican members of the House and Senate of the Forty-first General Assembly of Missouri, respectfully invite your attention to the following condition that confronts the Republican party of this state and menaces its very life:

The last General Assembly, Democratic in both branches, enacted two laws—the Nesbit election and police acts—applicable to St. Louis alone, designed to deprive qualified voters of that city and the state of the right to exercise the elective franchise. The motive underlying this legislation was the perpetuation of the discredited Democratic state administration. Having lost the confidence of the honest and intelligent citizenship of the rural districts, the "State-house-ring" decided to no longer trust their case in the hands of the citizens of such districts. Accordingly, means were provided, through the enactment of the Nesbit and police laws, to construct state machines in St. Louis—election and police boards appointed by the Democratic governor—which, with the excise commissioner, the Democratic state chairman, also appointed by the Governor, and having absolute authority to issue and revoke all saloon licenses, could completely dominate all elections—national, state and municipal—in St. Louis. The Nesbit and police laws vest in the boards mentioned unrestricted power over the entire election machinery and paraphernalia, as well as the police department of St. Louis, since organized into the Jefferson Club, with Mr. Harry B. Hawes, president of the police board, president of the Jefferson Club. Thus fortified with absolute control over the election returns, the state machines in St. Louis can and did hold back the election returns last November

until they ascertained the result in the rural districts, outside of St. Louis. The consequence was, Mr. President, that your splendid majority in St. Louis of 15,600, in 1896, was converted into a plurality of 666 in St. Louis in 1900, although you gained nearly twenty thousand votes on Mr. Bryan in Missouri outside of St. Louis in 1900. The Hon. Joseph Flory, Republican nominee for Governor, also scored gains in one hundred of the one hundred and fourteen counties of the state, the average ratio of which, if applied to your majority in St. Louis in 1896, would have given him and you a majority in St. Louis in 1900 of not less than twenty thousand, if not twenty-five thousand instead of 666 and 4100 respectively.

But that is not all. We are on the eve of a municipal election in St. Louis, to chose a candidate for mayor during the coming World's Fair, in 1903. Alexander M. Dockery has been elected Governor of Missouri through the manipulation of the returns in St. Louis by the Nesbit law and police law state boards, assisted by the Democratic state chairman, since appointed excise commissioner of St. Louis by Gov. Dockery. The chief executive of the state has also recently reappointed Messrs. Hawes and McCaffrey president, respectively, of the police and election boards, denounced by a representative Grand Jury and held responsible for the most atrocious election outrages ever perpetrated in a civilized community, during the last November election, referred to.

Not only has Governor Dockery sustained, reappointed and enlarged the original Nesbit and police machines in St. Louis, but he has persistently and effectually restrained fair and reasonable amendment of the Nesbit and police laws (printed heretofore), restoring the right of suffrage in St. Louis, at the present session of the legislature. More than this, the reappointed election and police machines have been used to force the nomination of the St. Louis Republic's candidate, Mr. Rolla Wells, a protege of D. R. Francis, who controls the Republic, upon the Democratic party for World's Fair mayor of St. Louis. Mr. Well's opponent for the nomination, Mr. Zach Tinker, a representative citizen, has charged in the public prints that the police robbed him of the nomination at the Democratic primaries.

In view of all these facts, and the further fact that if these machines are continued in power and the Nesbit and police laws remain on the statute books, all elections held in St. Louis in the future will be controlled by the state machines and those who use them, and because if Republicans cannot cast and have counted their votes as cast in St. Louis, normally a Republican stronghold, they can never hope to carry Missouri, or elect members of Congress from the Twelfth, or Butler district We, as representatives of the Republican party of the entire state in the General Assembly, earnestly urge you to demand, as a condition precedent to the passage of the World's Fair bill, by a Republican congress and its signature by a Republican president, the immediate adoption of the amendments to the Nesbit election and police laws now pending before the legislature, repealing one and amending the other of such iniquitous statutes and re-enacting the non-partisan and unobjectionable election law of 1895.

We suggest this drastic course simply because nothing remains to save the Republican party from continued defeat in St. Louis and the public at large from lasting disgrace. Moreover, we do not believe that any American municipality is available for the holding of a World's Fair in which the highest and fundamental right of American citizenship is denied.

Inasmuch as David R. Francis is the head of the World's Fair lobby now urging the passage of the Fair bill in Washington, we are satisfied that one word from him sent to the government at the state capital will result in wiping off the statue books of Missouri the infamous disfranchising laws mentioned. We therefore, respectfully submit this presentation of facts and the accompanying suggestion not to injure or prevent the holding a World's Fair in St. Louis in 1903, or any other year, but to insist upon the enjoyment of the constitutional right to vote and have the citizen's vote counted as cast in St. Louis, as well as in any other part of Missouri or of the United States, where a representative form of government prevails.

Yours very respectfully,

BETRAYAL BY FRANCIS REPUBLICANS.

The foregoing petition was signed by all the Republican members of the legislature present except Representative John H. Bothwell, of Sedalia, the latter being handicapped because he had a bill pending providing for an appropriation for a state fair. One copy of the petition was wired to Hon. Ethan Allen Hitchcock, Secretary of the Interior, and another mailed to Hon. Richard C. Kerens, Republican National Committeeman from Missouri. Telegrams were sent to Speaker Henderson of the National House of Representatives; Senator Frye, president pro tem of the U. S. Senate; to Senators Lodge and Depew, Senate conferees on the World's Fair bill, and to Hon. Marcus A. Hanna, chairman of the National Republican Committee, as well as to the St. Louis congressmen, Hon. Richard Bartholdt and Hon. Charles F. Joy. After representations had been made to Washington by a delegation of influential "Francis Republicans" of St. Louis, who are deeply interested in the local World's Fair corporation, committees and the "community of interest" in general, including banks,

trust companies, etc., the representations of the Republican members of the Missouri legislature, made in behalf of all the Republicans of the state, including St. Louis, were ignored.

Since that time the April election has been held and, as predicted, Rolla Wells has been counted in as World's Fair mayor of St. Louis. This book reproduces the reports of successive representative grand juries and some of the evidence in the Horton-Butler election contest to give a faint idea of what has been done in St. Louis for the Democratic state, congressional, legislative and municipal tickets, and what will be done for the same in the future unless the Nesbit and police laws are repealed.

The election of Rolla Wells was contested. The Democratic Supreme Court ruled that the ballot boxes could not be opened to permit a comparison of the votes cast with the registration lists. The constitution of Missouri distinctly and directly provides for the contest of all elections in Missouri. If the Nesbit law is deficient in any respect, it becomes the duty of the governor to call the state legislature in extra session and amend the law wherein it is deficient. This has not been done. It will not be done unless the "state-house ring", with its World's Fair directory, is compelled to amend or repeal the cheating laws mentioned. This can be done the first time David R. Francis and his Republican colleagues, who care not a rap for the welfare of the Republican party when their own selfish interests are at stake, come before congress and request amendment of the World's Fair act. It can be done in other ways, one of which is suggested in another place in this book. It must be done, or the Republican party may as well dissolve, the citizen donate his property to charitable institutions and move his person from the confines of the state of Missouri.

NON-CONTESTABLE ELECTIONS.

DEMOCRATIC SUPREME COURT SETS ASIDE THE STATE CONSTITUTION IN ST. LOUIS AND MISSOURI.

Only Municipality and State in the Union Where Elections Cannot Be Contested.

IF THE LAW IS DEFICIENT, WHERE IS THE DEMOCRATIC LEGISLATURE AND THE GOVERNOR?

Text of Supreme Court Decision and Constitution—Parker-Wells Contest.

The Democratic Supreme Court of Missouri has decided that elections in St. Louis, and elsewhere in the state, it is presumed, are non-contestable. The constitution of 1875 distinctly provides that they are contestable. Read!

Sec. 3. Art. 8.—All elections by the people shall be by ballot; every ballot voted shall be numbered in the order in which it shall be received, and the number recorded by the election officers on the list of voters, opposite the name of the voter who presents the ballot. The election officers shall be sworn or affirmed not to disclose how any voter shall have voted, unless required to do so as witnesses in a judicial proceeding: PROVIDED, THAT IN ALL CASES OF CONTESTED ELECTIONS THE BALLOTS CAST MAY BE COUNTED, COMPARED WITH THE LIST OF VOTERS, AND EXAMINED UNDER SUCH SAFEGUARDS AND REGULATIONS AS MAY BE PRESCRIBED BY LAW.—State Constitution.

If the law does not provide the necessary safeguards, and that is the basis of the Democratic Supreme Court's decision, where is the Democratic legislature, whose duty it is to provide the necessary law

to carry the constitution into effect? Where is the Democratic governor, whose duty it is to call the legislature into extra session whenever laws are deficient or need to be supplied? In what municipality, town or village in the United States are popular elections non-contestable except in the city of St. Louis and the state of Missouri? Who is responsible? Do not the Democrats make, interpret and execute the laws? Do the people want non-contestable elections, especially when conducted under the Nesbit and other partisan election and police laws?

The Democratic Supreme Court's decision was rendered last June, and made permanent December 21, in the case of the state ex rel. Robert M. Funkhouser, relator, vs. Selden P. Spencer, popularly known as the St. Louis election case, the effect of the decision being to deny the right of the election commissioners to open the ballot boxes, examine and compare ballots with the voters' or registration lists.

PARKER-WELLS CONTEST.

The Supreme Court decision came as a blow to Hon. George W. Parker's counsel in his contest of Rolla Wells' election as World's Fair mayor. The fact that it was rendered on the day just preceding that on which it was announced the taking of depositions would be begun is considered a remarkable coincidence. According to the opinion expressed by the attorney's, even if Mr. Wells did "waive all technicalities," the action would be of no avail, for a restraining order could be secured by any interested person or even one accused or suspected of fraudulent work at the election.

Another striking coincidence lay in the fact that when David R. Francis' election as mayor of St. Louis was contested he also prevented the opening of the

ballot boxes through the intervention of the State Supreme Court.

Said Mr. Parker: "Neither Mr. Wells nor any one else could 'waive technicalities' in a contest, for none of the lower courts would make a ruling adverse to that rendered by the Supreme Court. I imagine the decision is based on this right to secrecy of the ballot. If so it reaches beyond the parties to any suit and affects the rights of the elector. No parties to a contest could infringe upon the rights of the voter. I consider it a remarkable coincidence that the opinion was handed down on the day before our proceedings were to have been begun. I should not have brought a contest had I not been promised that the ballots would be examined and every effort made to ferret out fraud. It was on this understanding that the contest was predicated."

Mr. James L. Minnis, one of Mr. Parker's attorneys, said: "This decision stops every avenue of detecting fraud. Under it we might prove that a man voted fraudulently, but we would be unable to prove for whom he voted. Mr. Wells might receive a minority of votes, yet all of the votes might be counted for him and he be seated in the mayor's chair. The Nesbit law facilitates fraud, and this decision prevents its detection. Many of the frauds, we charge, were committed by the substitution of ballots. We claim that Parker ballots were destroyed and Wells ballots substituted. Many others were committed by repeaters who voted other men's names. But if we can not show how they voted we will not be able to accomplish anything. The supreme court has given the perpetrators of such frauds absolute immunity from discovery."

Judge William E. Fisse, who has been active in the effort to ferret out election frauds, said: "That opinion wipes out the constitution. There is now ab-

solutely no way of proving fraud. A gang of men may go to the polls early and vote other men's names, but we can not tell how they voted. The decision means that Missouri is to be preserved to Democracy if court opinions can accomplish this result. I know personally that from 1894 to 1898 Judge Marshall held an opinion opposite to that he has expressed in this decision. Several times, when he was city counselor, he ruled that ballot boxes could be opened, and so advised the election commissioners. However, he gave one opinion to the effect that the boxes could not be opened. This was in the contest case of Robert E. McMath, then president of the board of public improvements. But Marshall at that time was a candidate for judge of the supreme court. I can't give you my real opinion of the opinion, for it wouldn't look well in print."

GOVERNMENTAL POLICIES.

DEMOCRATIC STATE PLATFORM OF 1900 ON CORPORATIONS AND STATE TAXES AND ITS SIGNIFICANCE.

Proposed Constitutional Amendment Providing for a Perpetual 3-Cent Tax.

With Total Assessed State Valuation Ten Billion, It Would Still Be Levied.

WHY STATE INSTITUTIONS HAVE BEEN CONVERTED INTO GOVERNOR'S MACHINES.

How the Lobby Controls the Legislature Through State Institutions.

The Democratic state platform of 1900 contained this in the concluding paragraph:

The continuance of Democratic State Government means the final and full payment of the State debt in the first two years of the next administration, making it possible at the end of that time to raise all State taxes from corporations, leaving the personal and real property in the counties and cities to be taxed only for local purposes, thus solving the vexed question of equalization without increasing the burdens upon any interest.

This declared policy is significant. It is not true that the Democratic administration proposes to "raise all state taxes from corporations," because the proposed amendment to the constitution relating to legalizing school certificates of indebtedness provides for a perpetual state tax of three cents on the one hundred dollars valuation. (See text of amendment to

the constitution submitted by the last Democratic legislature relating to the school fund, printed hereinbefore.) Moreover, while this tax is but three cents on the hundred, it must be remembered that it is made perpetual. It will be three cents when the assessed valuation of property in Missouri is two, ten or twenty billion dollars, just as it will be at the present time, when it is one billion dollars, if the amendment carries next November. Of course, with a total assessed valuation of ten billion dollars in Missouri and a perpetual tax of three cents on the hundred to pay the interest on the certificates of indebtedness in the school fund, "all state taxes would be raised from corporations, etc." Are the people of Missouri to believe the Democratic state platform of 1900, or accept the constitutional amendment providing for a tax of three cents perpetually to pay the interest on certificates of indebtedness, submitted by the last legislature for ratification in November, 1902?

What does the Democratic administration propose to do with all the money collected from taxpayers when the assessed valuation of the state aggregates five or ten billion dollars, instead of one billion, with a perpetual 3-cent tax? Extend the patronage of the governor, create new, costly and useless offices. and spread the practice of governing the towns, cities and counties from Jefferson City?

Are the present Democratic leaders aware that the framers of the constitution of 1875 wisely provided that when the assessed valuation of property in the state aggregated $900,000,000 the tax, except to pay the bonded debt of the state, should not exceed fifteen cents? In 1892 the assessed valuation exceeded $900,000,000 and the tax was accordingly reduced to 15 cents. The constitution of 1875, furthermore, placed

another limitation on the taxing power when it provided that whenever the bonded debt of the state shall have been paid, the tax levied to pay the interest and principal thereof shall cease to be assessed. But obviously the present Democratic administration is either ignorant of the letter and spirit of the constitution, or is bent on deliberately perpetuating for all time a state tax on the people, their state platform in 1900 to the contrary notwithstanding.

CORPORATIONS AND TAXES.

But how about the corporations? Will they pay all state taxes? Would they have paid all state taxes if the pledges contained in the Democratic state platform of 1900 had been redeemed? What is meant by state taxes as applied to corporate wealth? Special tax laws affecting corporations alone? If so, the Democratic platform can be depended upon to make good its promise, if the record of past Democratic administrations and legislatures in enacting and approving special tax or license laws is any criterion. But if this policy is continued to be enforced, will the corporations pay the tax thus assessed, in the shape of a license or fee or other charge? Will not the corporation so assessed make the consumer of his product or whatever he has to sell pay that tax? Will not the glass of beer grow smaller? Will not the insurance premium become higher? Finally, will "all state taxes be raised from corporations"?

STATE INSTITUTION MACHINES.

Another policy of Democratic state administrations long adopted and executed at great cost to the people is the practice of attempting to manage state institutions—penal, eleemosynary and educational—located all over the state, from a central point, or the seat of state government. The boards of control are ap-

pointed by the governor, and, of course, with such chief executives as Stephens and Dockery—men actuated alone by selfish motives—the boards of control and managing officers have become naught but political machines, more or less corrupt and inefficient. Witness the result of the Fulton Insane Asylum investigation and that at the Chillicothe Industrial Home for Girls by the legislature in 1899. Read Governor Dockery's message or notice to the managing bodies and officers of state institutions, warning them to refrain from abusing the letting of contracts, after his induction into the office of governor! Investigate the appointment of architects, engineers, etc., and the letting of contracts whenever a new state institution is to be built, or additions constructed thereto, which little items are provided for at every session of the general assembly.

LEGISLATURE USED BY LOBBY.

But this is the least damage done by the control of state institutions scattered all over Missouri from a central point by a politician—modern Democratic governors are nothing more or less. The appropriations made by the forty-first general assembly, the 1901 legislature, exceeded those of any former session nearly $600,000. That means that nearly $600,000 more will be taken out of the people's treasury in the years 1901 and 1902 than during any preceding biennial period. Why? Because the state institutions are scattered in various sections of the state. You say: "Why, it's absolutely necessary for them to occupy the geographical position they do to accommodate the needs of the people." You are correct as to geographical location, but have you given a thought to the matter of management and maintenance? Suppose the state were divided into eleemosynary or penal districts and an institution of either character

were assigned to each district. Moreover, suppose that each institution were presented to the taxpayers of such district, with the understanding that they must pay for the maintenance and support of such institution, such taxpayers being given the right to manage such institution through officers of their own choosing. Would every county or senatorial district having a state institution be compelled under such an arrangement to send a representative or senator to the legislature and force him to sell his vote regularly for any or against any bill or proposition the lobby wanted, or did not want, as a condition precedent to securing the largest possible appropriation for the institution in the county or district he represents? Would such an arrangement as suggested relative to the management and maintenance of state institutions permit collusion between those legislators representing counties and districts having state institutions and the lobby for the purpose of squeezing the state treasury for the largest possible appropriations and enabling the lobby to pay any and all of its big bills out of the state treasury at will? Would Governor Dockery have been able to co-operate with the lobby in organizing the last house of representatives, dictate the election of Whitcotton as speaker, appoint all his committees, decide the fate of all bills introduced at that session and pay nearly $600,000 more out of the state treasury than ever before in appropriations for votes for Whitcotton and other lobby propositions, under the new arrangement proposed? How easy to help one's self to the people's treasury when every educational, penal and eleemosynary institution of the state sends one or two representatives to the legislature from the county or senatorial district in which the institution is located! If the institutions were managed and maintained by the several proposed districts, would not this evil and costly practice cease?

MACHINES USED AGAINST DEMOCRATS.

Another evil resulting from the management of state institutions from the state capital by a governor who is a politician (and most of them are) is the implement such management gives the governor to control his party conventions. In other words, while the governor embraces his extraordinary opportunities to build up formidable machines in the large cities by virtue of the authority granted him by the Nesbit and other partisan election and police laws, he also carefully dictates the personnel of the managing bodies and officers of state institutions so as to utilize these boards and officers to do his political bidding whenever the party conventions assemble. It matters not whether a state, congressional or a national convention, or a county convention to elect delegates to such conventions, or nominate candidates for the legislature meets, the governor's state institution machines and, if need be, his municipal machines are on hand to pull the wires for the governor. Consequently, viewing this evil from a purely selfish standpoint, any and every Democrat not a member of or affiliated with the "state-house ring" should take an active part in any movement looking to a curtailment of the practically unlimited power of the governor to perpetuate himself and his particular regime in his own party in office. The citizen, regardless of his political faith, should eliminate these state institution machines, as well as the municipal machines, because they mean simply that they and not the citizen has the power to determine who shall serve the people in public office. This system is neither American, nor constitutional and, moreover, it is fraught with the gravest dangers to the public welfare and all that that implies.

INFAMOUS CARDWELL CASE.

DEMOCRATIC STATE COMMITTEE CONVICTED OF PERJURY BY SWORN DEMOCRATIC TESTIMONY.

No "Wicked Republican Minority" in the Committee to Blame, Strange to Say.

"State-House Ring" the Foe of Hated Corporations "For Revenue Only."

The Cardwell libel suit against the St. Louis Republic for $50,000 was dismissed December 11, 1901, by the plaintiff. Mr. Cardwell, a Democratic member of the state legislature in 1899, stated that a compromise had been effected, the former state representative saying he had received $5,500 from a mysterious man named "E. O. Brown," purporting to represent the Republic. The method resorted to by interested parties to stop further scandalous revelations—the use of "hush" money—was characteristic of the well-known and established corrupt policy and practice of the "state-house ring."

It was easy to anticipate the outcome of the Cardwell case. Originally a fight between unscrupulous Democratic leaders and state officials, it was certain the pace would become so hot that interested lobbyists, state officials and corporations at the mercy of the state administration would call a halt. It is known that one of the leading railroad attorneys concerned endeavored to raise money in St. Louis the preceding day with which to "stop" further revelations and save James M. Seibert, Gov. A. M. Dockery, and others marked for the witness stand.

It is regarded as unfortunate for the public at large that Gov. Dockery and J. M. Seibert were not called to the stand. It is a notorious fact that at the last session of the legislature Mr. Dockery was the most conspicuous figure in the lobby, having gone so far as to dictate the organization of the house of representatives and the election of James H. Whitecotton, of Monroe, as speaker, notwithstanding that his record as a member of previous sessions smelled to Heaven. Mr. Dockery played into the hands of the lobby throughout the session. He designed and fathered a meaningless franchise tax bill in the interest of the railroad lobby. He then turned around and made the brewers and whisky men pay the lobby's debts by perpetuating and adding to their and the people's burdens of taxation. He did this on the plea that the state government needed more revenue, after he and the lobby increased appropriations for state institutions over $600,000, taking that much additional money out of the revenue fund, to get the votes of those members representing counties and districts with state institutions for Whitecotton and other lobby propositions.

CARDWELL'S ATTORNEY TALKS.

Says Compromise Was Effected While He Was After Seibert's Scalp.

Frank Walsh, attorney for W. O. Cardwell and a member of the Democratic state committee, was in St. Louis at the time the suit was dismissed and learned of the settlement by a telegram from his client. Mr. Walsh said:

"I came to St. Louis for the purpose of resisting any habeas corpus proceedings which might be brought by Excise Commissioner Seibert to defeat the

attachment issued by Notary Public Albert M. Ott. He declared when the constable served the subpoena upon him a few days ago that he would defy the authority of the notary public and flatly refused to go to Independence. I am firmly of the opinion that the law would have compelled him to go. In the midst of this effort I was advised by Mr. Cardwell that he had compromised his case and dismissed it, although I was assured as late as last evening that it would not be done. This, of course, ends the effort to get a statement from Mr. Seibert on the witness stand. My client had the undoubted right to compromise and dismiss his litigation, my views to the contrary notwithstanding.

"There has not been a day since proceedings were instituted that efforts have not been made to have Mr. Cardwell compromise his case, and I would not be surprised to learn that politics cut some figure in the settlement. Thomas T. Crittenden, Jr., county clerk of Jackson county, and quite a figure in politics in certain of the Kansas City wards, was a very strong adherent of Mr. Cardwell's in the early part of the litigation. Shortly after the institution of the suit, and when the evidence began to pour in to the effect that Mr. Cardwell did not falsify when he stated that the officers of the state committee received money from the corporations to protect them from hostile legislation, Mr. Crittenden visited St. Louis and returned with a proposition that if the suit was dropped the state administration would do the 'right thing' in the appointment of police commissioners at Kansas City, the appointment of two commissioners being due there next month. I did not then and do not now believe that Gov. Dockery would be a party to any such deal, and doubt much if Mr. Crittenden had any authority for his statement, unless, possibly, that of Mr. Seibert himself. Moreover, Mr. Critten-

den was informed that such outside considerations could not weigh in the conduct or settlement of this litigation.

"The county clerk immediately joined the ranks of those alleged Democrats who profess to hold the peculiar views of the new Seibert-Cook political cult, namely, that it is not an act of political indecency to make an anti-monopoly campaign upon money furnished by the monopolies; and has ever since brought all the influences he could command to bear upon Cardwell to settle. It may have had its effect."

"Did you have any intimation that the suit would be compromised today?" was asked of Mr. Walsh.

"I received a telegram from Cardwell this morning. He said he had been offered as much as I told him he could get in a verdict and he thought he ought to compromise."

"How much did you say he could get?" was asked Mr. Walsh.

"At least $10,000."

"Did you advise him to settle the case?"

"I told him to hold things in abeyance until tomorrow, and that I would not compromise without full retraction."

"You wired him that?"

"I did."

"When did you learn that he had compromised the case?"

"I received a telegram from him about 3.30 this afternoon, saying: 'I have settled and dismissed suit. Act accordingly.'"

"Had previous efforts been made to effect a compromise?"

"Yes. Several parties representing themselves as agents for the St. Louis Republic went to him. I understood he was offered $7,500 to call it off."

"By whom was the money offered?"

"By the attorney for the Republic, I presume."

INFAMOUS CARDWELL CASE.

THE REPUBLIC'S DENIAL.

Says No Compromise Was Authorized—Editor Graham's Statement.

Joseph A. Graham, editor of the Republic, made the following statement:

"No matter what statement is given out to the contrary, the Republic has not made, or at any time proposed to make, a compromise with Mr. Cardwell. No person representing the Republic, or of the Republic's knowledge, has even approached Mr. Cardwell or his representatives with a proposition to give any compensation or to grant any concession for the purpose of effecting a settlement. So far from that, the Republic has refused to entertain any suggestion of compensation or of apology. If Mr. Cardwell has dismissed the suit, it is his own act, done for reasons of his own. The Republic has been perfectly satisfied with the prospects of the suit and has hoped that the testimony might later uncover all the evil in the politics of the state without regard to party politics. When Mr. Cardwell says, if he does say, that a representative of the Republic paid him money, or even requested him, to dismiss the suit, he has either been deceived by an imposter representing somebody more anxious than the Republic for a dismissal, or willfully and shamefully lies."

SEIBERT ARRESTED.

Saved From the Witness Stand by a Very Timely Settlement.

James M. Seibert, chairman of the Democratic state committee, was arrested at noon Wednesday on a writ of attachment from Albert M. Ott, the

notary public at Independence. The warrant was served by John T. Neagle, constable in the Eighth district. Mr. Seibert was found on Fourth street, St. Louis.

"I have an attachment for you, Mr. Seibert," said the constable.

"I waive it," responded Mr. Seibert. The constable explained that it was a writ commanding him to appear in Independence in the case of W. O. Cardwell vs. the St. Louis Republic.

"I said I would not go, and I will not," said Mr. Seibert. After some discussion Mr. Seibert and Constable Neagle proceed to the office of Mr. Seibert's attorney, in the Equitable building. After a conference with his attorney, Mr. Seibert agreed to meet the constable at the Southern hotel at 5 o'clock in time to go with him to Kansas City. The constable then released his prisoner and Mr. Seibert and his attorney continued together for some time.

Mr. Seibert's attorney had been in communication with a gentleman at Kansas City over the long-distance telephone. He received word that the Cardwell suit might be settled, and when a reporter asked him what steps would now be taken, the attorney said:

"There is a chance that the suit may be compromised. I am waiting for a message from Mr. Walsh, who is at the Planters' hotel."

Mr. Seibert's attorney had not placed entire dependence on the message from Kansas City. He had prepared a petition asking for a writ of habeas corpus for Mr. Seibert. Arrangements were made with Judge Shepard Barclay, of the St. Louis Court of Appeals, to hear the petition at four o'clock. It was about four o'clock when Mr. Seibert's attorney stepped into the reception room of his office and announced that the Cardwell suit had been dismissed and he would not present the application for writ of habeas corpus. He

had the paper in his hand signed and seal all ready to present to Judge Barclay. Mr. Seibert was in the office at the time and he seemed to be relieved at the news. His face resumed its pleasant expression, which has not been so evident since the proceedings at Independence began.

"Are you satisfied with events?" Mr. Seibert was asked.

"I have nothing to say," said he. "I don't want to be quoted at all."

RICH AND INSTRUCTIVE TESTIMONY.

Representative Ransdell Tells of Seibert's Interest in Stock Yards Bill.

Questioned by Walsh, Ransdell told of his legislative experience. He knew J. M. Seibert, who, in 1899, was state auditor.

"Some one came to me," he said, "one day while I was in the house and said Mr. Seibert wanted to see me. I went to his office. He asked me how I stood on the stock yards bill, then pending. I said I meant to vote for the bill. He asked me if I would not vote against the bill, and told me the stock yards company had contributed to pay the expenses of the Democratic campaign. I said I could not vote against the bill."

"What was the bill?" Walsh asked.

"It was one to reduce charges at the stock yards."

"How did you vote on the bill? What does the record show?"

"I voted for the bill."

Questioned by Morton Jourdan, attorney for the St. Louis Republic, Ransdell said the conversation was between him and Seibert while they were alone in the auditor's office. He had not told it to many

people. Jourdan pushed him to tell when he had told it, and to whom. He said he thought he might have told some member while the bill was pending. He did not think he had made a speech on the stock yards bill. The conversation took place while the bill was pending, before it was placed on its passage.

"You say," Jourdan said, "that Seibert asked you to vote against the stock yards bill because the stock yards contributed to the campaign fund?" Jourdan said inquiringly.

"Yes, sir."

"Did he tell you to whom the money was paid?"

"No, sir."

"Did he tell you the amount?"

"I don't think he did."

Walsh took up the thread and asked if Seibert ever told him of having been sent for by the chairman of the state committee to come to St. Louis and raise money from the corporations. Ransdell said he was not sure. Seibert told him that it was the state chairman who sent for him, but he had told him on another occasion that he, Seibert, had raised $16,000 among the corporations for the Democratic campaign fund. This was after the talk about the stock yards in another conversation, had in Seibert's private office. Jourdan brought out that Seibert had said he raised the money and distributed it.

"At that time," Jourdan asked, "wasn't Mr. Sam Cook chairman of the state committee?"

"He was."

"And Mr. Virgil Conkling was secretary?"

"I think so."

"And Mr. Frank P. Walsh was chairman of the finance committee?"

"I don't know; Seibert spoke only of himself."

At this point Ransdell was excused.

SAM B. COOK TESTIFIES.

Explains Relations Between the Brewers, the Transit Company and the State Committee.

Samuel B. Cook, secretary of state, was called to the witness stand. He testified that he had been chairman of the state Democratic committee for about five years, and was chairman of the committee at the time of the campaign which elected the legislature of 1899. In the campaign of 1896 he had received $2100 from Col. W. H. Phelps, of the Missouri Pacific. The treasurer of the state committee had credited Cook with the $2000 which Mr. Phelps had paid.

"In the campaign of 1898 did you collect money from the corporations?"

"I think John H. Carroll gave us $1000."

"Did you collect $6000 from the St. Louis Transit company?"

"I did not."

"Did Mr. Seibert bring $6000 from the Transit company?"

"He brought some money given him by H. S. Priest, a lawyer of St. Louis."

"Attorney for the Transit company, wasn't he?"

"I believe he was."

"Did Mr. Seibert get other money and bring it to you?"

"I think he collected $3000 or $4000 more."

"Did he bring it to you?"

"He distributed most of it himself."

"Did Mr. Seibert tell you where he got the money?"

"No; I understand Mr. Priest and Col. Carroll assisted Mr. Seibert in gathering this money. I don't know where they got it."

Cook said Seibert went to St. Louis to raise money and help in the campaign. He had gone out and got

money and handled most of it himself. About the beer money the witness said:

"The brewers had given the Republicans $5000, I understand, and they came to us and offered $2500 for our campaign fund. It was given to Mr. Seibert by the brewers' agent, with the request that it be not reported in the ordinary channels. They did not want the Republicans to know they had given us any money."

Cook said he knew where Seibert disbursed the money in the close counties of the state.

SAM PRIEST'S "GIFT."

Referring to the transit company's contribution of $6,000, Walsh asked if important legislation affecting the transit company was not passed in 1899. Cook said it was true. He had talked with Judge Priest about the legislation when they met in St. Louis.

Jourdan cross-examined Cook, who said he did not know where Priest got the $6,000 he paid to Seibert. He did not know where Carroll got the money he paid in, but his own check for $1000 was Col. Carroll's personal contribution. He knew of the brewers' money, but did not know whether the stock yards company had contributed any money.

"There was no agreement," he said, "made by me or with my authority, consent or knowledge, with any corporation or interest that promised any sort of protection against legislation."

"Did you collect money from the telephone companies?"

"I did not."

"Was money collected from them?"

"I don't know. I never heard of it if there was. I never heard of money being collected from the stock yards until Mr. Ransdell spoke of it."

"Both might have contributed?"

"As I said there was money raised through Col. Carroll that I did not trace the origin of."

"Where was the money so collected spent?" Jourdan asked.

"Some of it came to Kansas City. There was $1000 sent to Mr. Walsh or Mr. Sebree. I don't remember to whom it was sent, though I have seen the check. There was $300 sent to Cedar county to help elect Mr. Ransdell and his county ticket."

COOK AND WALSH MIX.

"I understand," Mr. Cook continued, "that during the last campaign Mr. Seibert, at the request of Mr. Frank P. Walsh, called up Walton H. Holmes over the long-distance telephone and asked him to give the county committee $1000 for the county campaign. Mr. Holmes told Mr. Seibert that he had already arranged to do so."

"If Mr. Seibert told you that he told a falsehood," declared Walsh. "It is not true. I did not ask him to call on Mr. Holmes for money and when Mr. Holmes did contribute $1000 it was promptly returned to him."

"That's my recollection of the fact," replied Cook.

"Mr. Seibert did call on Mr. Holmes for money for us, but not at my request," said Walsh.

"He told me it was done at your request," was Cook's answer.

"Now, don't you know that without any request from me Mr. Seibert did ask Mr. Holmes for $1000 for our campaign and that we sent it back at once?" Walsh asked.

"I never heard of any money being sent back," said Cook.

"When you sent $1000 to help the local campaign you did not tell us it was corporation money, did you," Walsh asked.

"The money was sent from the general fund collected, as I have already told you, from various sources. I don't consider the collection of campaign money from corporations, which are willing to give without exacting promises, to be improper."

"Mr. Cook," asked Walsh, "in your letter about Cardwell you treat an attack on you as an attack on the Democratic party; are you the Democratic party of Missouri?"

"I certainly do not regard it in any such light as that. I do say, though," said Cook, "that a man who attacks Mr. Seibert, who is the head of the party organization, as Mr. Seibert has been attacked, is attacking the honesty and integrity of the party."

"In the campaign of 1898," Mr. Cook continued, "there was but one such proposition made. There was a contest in the 18th senatorial district between Mr. Boyden and Mr. Tandy. It appeared that if Boyden was placed on the ticket it was in the interest of Mr. Landrum, the Republican nominee. You (to Walsh) was there and wanted to recognize Boyden. We took a recess and during that time a member of the committee came to me and said we could get all the campaign money we wanted if we would recognize Boyden. I said I would resign the chairmanship first and fought it out and Mr. Tandy was elected."

Walsh insisted on the members' names being stated publicly. Cook said it was not Walsh, but he would not name the member unless forced to do it.

"BILL" PHELPS' DONATION.

Cook said he wished to explain what had been referred to in the testimony about the Phelps' contribution in 1896.

"I was chairman then," he said, "and Col. Phelps gave me his check for $100. Afterward we needed

$2000 more. Col. Phelps paid it. Col. Carroll had paid $1000 in the part raised for Gov. Stephens. When it came time for us to file our report a personal friend of Gov. Stephens came to me and, on behalf of the governor, asked that the $2000 given by Col. Phelps be entered as having been given by some one else. At the request of Col. Phelps, in compliance with the governor's wishes, I entered the Pheips' $2000 as paid by myself. I also, in 1898, entered $1000 paid by Col. Carroll as collected by myself."

"Who came to you from Gov. Stephens?"

"I prefer not to tell."

"But we insist."

"It was Mr. Ed. T. Orear." (Mr. Orear was insurance commissioner under Stephens.)

Walsh—"Did you ever ask a governor to sign a bill while you was state chairman?"

"I did."

"Did you go among the members of the legislature and ask them to vote for any bill?"

"I did. I stayed in Jefferson City several days urging the passage of what was called the horse breeders' bill."

"And you know this bill authorized or legalized the betting on horse races inside of inclosures?"

Cook—"It broke up the poolrooms."

"But it legalized gambling on horse races."

"Possibly it did. I was requested by Dr. McAllister, of my home town, Mexico, to go to Jefferson City and urge the bill, not because I was state chairman, but because of my acquaintance in the state."

Jourdan followed with a line of questions which brought out the statement that the breeders' bill had driven poolrooms out of St. Louis. The bill was the one which legalized selling pools at race tracks on payment of license. It was the cause of a hard fight in the legislature of 1899.

"I want to say something about Col. Carroll," Cook said. "He has always been a liberal contributor. He gave his check for $1,000 in each of two state campaigns and gave the national committee $3,000 at one time. He has always given freely. In no instance has the party been obligated because of any contribution given by him personally or collected by him. As an evidence that we have not been influenced by contributions, I want to call your attention to the fact that, although we understood the Metropolitan Street Railway Co., of Kansas City, had contributed $1,000 to the local campaign fund, we raised the valuation of that company's property $1,500,000 this year."

GOVERNOR STEPHENS' TESTIMONY.

More Egg Shells Exposed in the Refreshing Cardwell Suit at Independence.

The substance of Gov. Lon V. Stephens' testimony follows:

"Mr. Cook," began Attorney Walsh, "stated in his deposition given here last week that a certain contribution had been made by Col. Phelps. Col. Phelps is attorney for the Missouri Pacific railroad, is he not?"

"Yes, sir."

Mr. Cook's original statement was then read, as follows:

"Col. Phelps brought a check to headquarters about the close of the campaign of 1896, a few days after its close. It was entered on my books to his credit. Later, when we made up the statement for publication, I mean the sworn statement by the treasurer, the personal representative of the governor insisted the contribution ought not to go in as coming from

Col. Phelps, and it was at his request that I went over and saw Col. Phelps and told him the objection to it. He wrote out an order to the treasurer to credit it in my name. That is how it came to be reported in my name instead of in the name of Col. Phelps. I do not know how he raised the money. This alteration in the record was made at the personal request of Gov. Stephens' personal representative."

Afterward the witness, Mr. Cook, said he had in mind Ed. Orear when he spoke of Gov. Stephens' personal representative.

Attorney Walsh resumed his examination of Gov. Stephens. He asked:

"When did you first learn Col. Phelps had made this contribution?"

"I think it was two years afterward."

"Did you ever send Ed. Orear or any other personal representative to Mr. Cook with the request that the contribution from Col. Phelps be placed in the records and sworn to as coming from Sam. B. Cook?"

"I did not."

"Did you ever authorize Mr. Orear to see Mr. Cook at all with reference to this $2,000 contribution?"

"I did not."

SAM COOK AS A LOBBYIST.

This finished for the moment the reference to the hiding of the $2,000 worth of shells. Turning on another tack, Attorney Walsh asked the governor if he recalled Mr. Cook lobbying for the breeders' bill. The witness answered in the affirmative.

"He called on me frequently," said the governor, "in relation to the bill after it had passed the house and the senate. I do not know how long he was on the ground looking after the bill, though he was there a great deal of the time."

"Did Mr. Cook ever have any conversation with you before you signed the bill, in which he stated the capacity in which he was acting?"

"He called on me on one occasion a little bit excited because I held back so long and because I would not give him positive assurance that I would sign the bill. He asked me if I would object to him walking over as far as the Mansion house. I said I would be glad to have him accompany me. It was at this time he told me that it meant a good deal to him in a financial way; after the bill received my signature he would receive a fee, a pretty good fee, for it."

"Did he state the amount of the fee?"

"I am not sure about that. I can not recall that he stated the amount."

"Are you sure he said he was receiving a fee for it?"

"Oh, there is no—I am very sure about that."

The witness was then cross-examined by Mr. Lehmann, but on the advice of his counsel declined to answer. Mr. Lehmann placed the witness in a very embarrassing position, showing that Mr. Stephens was governor when many questionable things were done by the legislature and must have known about them.

Redirect examination by Mr. Walsh:

"Mr. Stephens, Mr. Lehmann asked you about the occupation of Col. W. H. Phelps, and you stated what it was. Was that his occupation in 1896, when he gave Cook the contribution of $2,000, which afterwards appeared as a contribution of Cook?"

"Yes, sir."

"Do you know whether or not the statement of it, as to whom they got this money from, was ever published in the newspapers?"

"I think that came out in the controversy in the early part of January, 1899."

"I will get you to state, if you have not already stated, if you directly or indirectly authorized Mr. Cook to take the contribution of $2,000 from William H. Phelps, about whom you have already testified, and put it in the sworn report of the treasurer as the contribution of Sam B. Cook?"

"I had nothing whatever to do with it."

SEIBERT AND THE BREWERS.

"Mr. Lehmann also asked you the question in reference to whether or not you had heard that anybody got any money from the brewers in 1898; and you stated that you heard that Mr. Seibert had gotten money from the brewers. Do you recall who told you that Mr. Seibert had gotten money from the brewers in the campaign of 1898?"

"He told me himself."

"State whether or not to your knowledge Mr. Seibert was at that time attempting to defeat this beer legislation."

"Well, I don't know; if he did, he did not intimate it to me. I favored that very strongly as a revenue producer. Everybody knows what I—"

"What did he tell you he got from the brewers?" interrupted Attorney Walsh.

"I think it was $2,500."

"Did he tell you what he did with it?"

"Yes, sir."

"Did he tell you whether or not he gave it to members of the legislature?"

"Well, he told me that in districts, senatorial districts and representative districts, where our Democratic friends were in danger, he went to them and gave it to them himself from his own hands."

"Gave it to whom?"

"Candidates for representative and senator."

"Did he state or do you know whether or not some of them were afterward elected that he handed this money to?"

"Yes, sir; I think he gave some to our senator, Tandy."

Attorney Walsh (interrupting): "Well, I don't care about that; I just want to know whether they were elected that he gave it to?"

"And he stated that he took this money which he had received from the brewing corporations of St. Louis and with his own hands gave it to men who were running for senator and representative in that campaign?"

"Yes, sir."

"I believe that is all," replied Mr. Walsh.

HOW THE MONEY WAS SPENT.

Re-cross-examination by Mr. Lehmann was then begun.

"Who were the men that Mr. Seibert stated to you he gave the money to, and who were running for the legislature and who were elected?"

"I don't remember now. I thought Mr. Seibert's motives were altogether pure. I saw no wrong in his doing what he could to help elect our candidates, and I don't remember who they were, but in the close districts and counties in the state he helped them to the extent of his ability."

"At the time and before the influences of the present controversy had exerted themselves, you were of the opinion that the conduct of Mr. Seibert was entirely proper?"

Mr. Walsh: One moment; I object to that as immaterial, and calling for an improper conclusion of this witness."

At this point, counsel for defendant apparently attempted to show that the alleged high-handed methods of Chairman Seibert met with the governor's approval until after the close of his administration. All of which questions Gov. Stephens refused to answer. A few of them, however, follow:

"You were interested in the result of that election because you were governor of the state at the time, and you desired, did you not, an expression of the people at the polls which would carry with it an endorsement of your administration?"

Mr. Walsh: "We object to that as immaterial as to what his desires were at the time, and I ask that the witness decline to answer."

"I decline to answer," said the governor.

"You would not have consented for one moment, would you, to the use of corrupt or venal influences for the purpose of securing an endorsement of your administration; you wanted that upon its merits, or not at all?"

Mr. Walsh: "I object to that as incompetent, irrelevant and immaterial, and not meeting any issue in this case, and ask that the witness decline to answer."

"I decline to answer," was again the response.

"Did you rebuke Mr. Seibert at the time he told you what he was doing and say to him that his methods, if known, would be a scandal to the party?"

Mr. Walsh: "I object to that as incompetent, irrelevant and immaterial—any proposed rebuke to this innocent gentleman."

"I decline to answer."

"Did you tell Mr. Seibert that his methods were improper, and did you ask him to discontinue them?"

Mr. Walsh: "I object to that as incompetent, irrelevant and immaterial, and because the witness has already testified that Seibert told this after the legis-

lature was in session, and ask that the witness decline to answer."

"I decline to answer."

WHERE THE EGGS CAME IN.

"Mr. Stephens, you have referred to the period when you first became aware of the fact that Mr. Phelps had made a contribution of $2,000 to the Democratic committee funds, and have fixed the date with reference to a controversy that broke out. I will ask you whether the controversy to which you refer was the one in which the poultry business of the state was in a measure involved?"

"I don't understand your question at all."

"The one in which Mr. Phelps conceded his habit of sucking eggs, but disdained any imputation of hiding their shells?"

"I think possibly his Carthage speech was the first knowledge of that contribution."

"This matter of hiding the shells had reference to the hiding of the source from which money was received, had it not?"

"I think so; yes, sir."

Mr. Walsh then asked:

"What he said about that was that he and ex-Gov. Stone agreed on the consumption of eggs being proper, but they disagreed as to the disposition of the shells?"

"Yes, sir."

* * * * * * * *

"You say that you were not aware that Phelps had made a contribution in 1896 until some time in 1899?"

"I think it was in 1899 when I first heard about it."

"You knew Phelps to be active in the political life of the state, did you not?"

"Yes, sir."

PHELPS A HANDY MAN.

"You wrote a letter, did you not, or a statement to Hardin, a lawyer of Nevada, Mo., in which you stated that you would like to have Phelps sent because he was a very handy man?"

"I did, sir."

Walsh: "Governor, if you will please not answer those questions you will oblige me very much."

The witness: "I wish you would tell me not to."

TONY STUEVER CONTRIBUTES.

"Was it unusual, during the campaign of 1896, when you were a candidate for governor, for a contribution to be made to the Democratic state committee, or to the candidates, or to the representatives of the party in the conduct of that campaign, and report that contribution in the name of some other person?"

"I know very little about the conduct of that campaign."

"I will ask you whether, during that campaign, a contribution of $1,000 was made by Mr. Tony Stuever, of the city of St. Louis?"

"I think he made more than that, Mr. Lehmann."

"But he did make a $1,000 contribution, did he not?"

"I think he made two or three $1,000 contributions."

"Did he not make a contribution of $1,000 during that campaign which he made directly to you?"

"I think he made it all to me."

"At Jefferson City?"

"Yes, sir."

"How was it reported?"

"It was turned over to Orear, and by him to the state committee. I don't know how it was reported."

"In whose name did it appear in the accounts of the committee?"

"I am sure I don't know, sir."

"What direction did you give in this respect?"

"I gave no direction at all."

"Did you not know that that contribution did not appear in the name of Stuever?"

"From the manner in which contributions have been reported, I would not be surprised at anything—any disposition that was made of it."

Lehmann: "Now, Mr. Stephens, do you know why the contribution was made by Mr. Stuever to you, and not to the committee?"

Walsh: "That is objected to for the same reason, being entirely immaterial."

"Do you decline to answer that question?"

"Yes, sir."

Addressing Mr. Walsh, Mr. Lehmann said:

"I would like to confer with you a moment."

Mr. Walsh: "With me?"

Mr. Lehmann: "Let the record show counsel for plaintiff and witness retire for consultation," to which there is no objection by the defendant, except defendant insists on its being shown upon the record.

Mr. Walsh: "There is no objection to that. You might say if defendant objected, counsel would go anyhow."

WHY STUEVER PAID STEPHENS.

Plaintiff's counsel and witness retired together from the room for a short time, and on returning, counsel for plaintiff, Mr. Walsh, said:

Mr. Stephens asked me to please let him state why Mr. Stuever made the contribution to him, and inasmuch as he requests it, I am going to let him put that in, but I shall object to any more of that irrelevant testimony not part of the issues as to whether or not Cardwell lied when he made that statement."

The witness: "Are you ready for my statement—my reply to that question?"

Walsh: "Reply to the question as to why Stuever made the contribution to you direct."

"At the time," said the governor, "I was confined to a darkened room on account of the serious condition of my eyes. I had also inflammatory rheumatism, which kept me in a month or two, or possibly longer, during this campaign. Mr. Stuever called upon me at a time I was quite ill; it was the first time I had ever met him. My wife allowed him in my room, but he was introduced to me by a Jefferson City friend. He told me I was being betrayed by the committee; that they were really doing nothing to advance my interests, and that in the southern part of the city of St. Louis there was nothing that appeared in any of the German papers concerning me or my record, and nobody seemed, in the committee, to be willing to do anything that would help me in any way, directly or indirectly; that he felt like something was rotten, and he wanted to do something that would help me down there if I had no objection to it; that he would not turn the money over to the committee himself, but would turn it over to me for the purpose of getting out some German literature or getting something before that section of the city. He had no interest in it further than he was a Democrat and wanted to see the governor elected, and he said he would turn over—contribute freely—for that purpose, and that purpose alone. I told Mr. Stuever that I would not accept money under any such terms; that if he contributed at all, he would do it voluntarily, and it would go into the committee, and he at first thought that would benefit me, but if I would put it in the hands of those there they would do something to help me down there, where not a thing had been done at all in the interests of the gov-

ernor. And I did not see very much of him, and he left at that time a check with my wife, and I did not know what it was, and I had her write a letter, either to Mr. Cook or to some one connected with the committee, and turn it over to them; and it was found to be a thousand dollars. Subsequently he contributed more. I don't know whether it was $1,000 or $2,000, but as fast as it was given to me it was turned over to the committee. What disposition was made of it I don't know, any further than I presume it was used for the purpose of helping elect the whole ticket."

"Who was the friend that introduced Mr. Stuever?"

"I don't know that that has anything to do with it. But to satisfy your curiosity I will tell you it was Mr. Ellsner, of Jefferson City."

Lehmann: "Now, what was the aggregate of Mr. Stuever's contribution?"

"I don't know."

"I believe from what you have stated here, that there was at least $3,000," said Mr. Lehmann.

"It might have been more, and it might have been less."

BRADLEY'S EYE-OPENER.

Rev. James Bradley, a Baptist minister of Audrain county, represented his county in the legislature in 1897 and was chaplain of the senate in 1899. He said Sam B. Cook asked him to vote for the breeders' bill.

Frank P. Walsh, Cardwell's attorney, asked: "Did you ever see a telegram from Mr. Cook to Mr. Clark in 1899 in reference to the St. Louis street railway consolidation bill?" This is the bill of the St. Louis Transit company, which Mr. Walsh has endeavored to connect with the $6000 contribution of Judge H. S. Priest, attorney for the company, to the state committee.

The witness answered "Yes," and upon inquiry testified that the telegram asked Mr. Clark to give the bill his earnest support, and that the bill was passed before supper at the afternoon session of the house. The bill had already passed the senate. It was Mr. Bradley's opinion that Mr. Clark did not vote at all on the bill.

ED. OREAR TESTIFIES.

Ed. T. Orear, superintendent of insurance under Stephens, was asked whether he had asked Cook to report the Phelps contribution of $2000 in some other name. Orear said he had not asked him. Cook sent for him to come to St. Louis. He met Cook with Stone. Cook told them that Phelps had given $2000 to clear up all the debts. "My recollection," he said, "is that Gov. Stone said it would be improper to report the Phelps' contribution in the name of Col. Phelps because Mr. Phelps represented corporations. We finally agreed that if Mr. Phelps was willing it might be best to use some other name. Mr. Cook went to see Col. Phelps, and I was told later that Mr. Phelps consented."

Orear said that he was not at St. Louis as the personal representative of Gov. Stephens and he did not know whether Stephens heard of it until he told him about a year later. He did not tell him until a year or more after the close of the campaign.

Cross-examined by Mr. Lehmann, Orear said the meeting in St. Louis was after the election. He had himself suggested the reference of the question of whose name the Phelps contribution should be entered in to Col. Phelps.

"Did you have any idea at the time," said Mr. Lehmann, "that there was anything improper in the party receiving money for the campaign fund from Col. Phelps?"

Attorney Walsh objected, and Orear refused to answer.

"Had you any information of any impropriety in the conduct of Col. Phelps at any time?"

Orear again refused to answer, at the request of Attorney Walsh.

"Did any one present suggest that you send back to Col. Phelps the $2000?" asked Mr. Lehmann.

Witness declined to answer.

Orear did not know just how much money Tony Stuever, of St. Louis, gave in the campaign of 1896. Mr. Stephens in cross-examination had admitted that it was in the neighborhood of $3000.

Lehmann: Do you know it to be a fact that this money given by Tony Stuever was all reported on the books of the committee as having been given by Gov. Stephens?

Orear: I refuse to answer.

FINANCE COMMITTEE.

Dr. E. P. Chinn, a member of the state committee from Boone county, testified that in 1898 and 1900 his name had been advertised as a member of the finance committee. He did not know anything about money being given by the corporations. The finance committee never held a meeting.

Walsh: Was it a working committee or a sham?

"I considered it a sham," replied the witness.

THE

"OLD POLITICIAN'S" LETTERS

AS PUBLISHED IN THE

St. Louis Globe-Democrat.

EGGS AND EXPERTS.

"THE OLD POLITICIAN" FINDS SOME OLD NESTS AND SOME NEW ONES.

The Evolution of the Lobby Committee from Partisan War Prejudice.

Joe Bowers and Sallie's Red-Haired Baby—The "Experience Meeting" at Independence.

[From the St. Louis Globe-Democrat.]

JEFFERSON CITY, MO., December 14.—"Joe Bowers," said the Old Politician, "had a good deal more horse sense than he has ever got credit for. He was a Pike county man, and most of them knew beans when the bag's open. But that song where we hear of Joe as the man who got the mitten is the place where he falls down in our estimation. Bob Campbell is responsible for a good deal of that, for he has give it out cold that the song was composed out of derision of Joe Bowers after Sally had given him the sack. That part's all right enough, for Joe was just so broken-hearted that he give himself dead away to the whole camp; but I was there, as much as Bob Campbell or any of the rest of them. and while I own up that Joe was a fool for saying anything about it in a mining camp, I'll tell you a little story that will show you that Joe Bowers wasn't as big a fool as he looked.

"One night there was a bunch of us and if I'm not mistaken Bob Campbell was there and we got to talking about things back in old Missouri. Joe

Bowers was down in the mouth, and, as I recollect it, it was Bill Burbridge who went to rubbin' it into him about Sally and the butcher. Bill was from old Pike himself and he knew the whole shootin' match you hear about in that song. Bill said that Joe had been tellin' him that he had heard that Sally had had a baby. 'And I have offered to bet Joe,' said Bill, 'anything he wants to bet, that that baby has got red hair, like its daddy.'

"'I'd be a damphool,' said Joe Bowers, 'to take a bet like that, for 'taint only the butcher that's got red hair—Sally's got red hair, too.'

"It was either me or Bob Campbell who told Bill Burbridge he'd never get any bets at evens on that game, and that it would be a chump who would take him up at any odds. 'Because,' said Bob Campbell or me (I disremember which), 'nature always takes her course in them kind o' cases.' And we might have said more if Ol Tolbert, who was runnin' the gambling joint next door, hadn't just then sung out a side bet in roulette, 'The red wins.'

BETTING ON THE RED.

"If Joe Bowers had stuck to his horse sense he mightn't be as famous as he is, but he wouldn't be a joke either. Maybe they'd cuss him like they do me, but they wouldn't laugh at him, or pass ironical resolutions, and go through ironical motions, for the erection of a monument to his memory. I'd a bet everything I could beg, borrow or steal that that baby was going to have red hair. You've heard me say before now that when I know a thing I know it, and nothing will ever get me out of that habit except missing out in the game oftener than I hit it. Maybe if that baby hadn't had red hair it might have shook my confidence in myself, but everybody up

in Pike knows that that boy's head would 'a set fire to a water tank. I seen it myself, and ever since then, whenever my opinions is based on the course of nature, I just stick to 'em and wait for nature to take her course, no matter how many gentlemen of veracity enter the same kind of sweeping and emphatic denials that Mose Wetmore does when he is getting ready to sell out to a trust. It never makes any difference to me what they say whenever I get my nose to the ground and find the direction of the waterfall, for that's the course of nature, and my money goes on nature every time, no matter whether nature expresses herself in red-headed babies or in politics, for I know she expresses herself in everything and always according to her own laws.

"I was betting on the red when I said that Kohn & Co. got the interest on the government bonds they bought from Missouri, which were sold as a private speculation, in defiance of the legislature and of public opinion, without authority of law, and at a price so far below the market price for bonds on that day, that it was a dead open and shut that some of the men who were acting for Missouri had sold out the state. They made a raging bluff at first, but nature had to take her course, and now they have admitted that the tail went with the hide, and that Kohn & Co. got the interest, and that the price they did pay for the bonds and the accrued interest was away below the market price. A dead silence has fallen upon them all in that direction. They want to change the subject. They want to talk about something else, and I'll be darned if it isn't a fact that there is something else to talk about, and I'm goin' to talk about it before I get through talkin' tonight. But whenever nature is takin' her course, and you want to bet on the place she will bring up at,

you can't just fall in on her trail at any place that suits your convenience and go on from there. If you're goin' to be up to date you've got to know all the things that's gone before the date you start in at. I'll show you the processes of evolution that has made the Democratic party so rotten that when they lifted the lid off of it at Independence, every body in the state took hold of their noses and held on until they slammed the lid on again so hard that they cracked the pot in doing it; and from now on the smell will be coming out on the installment plan.

"I always begin a thing at the beginning. Even in religion, although it looks only to the future, some of them want a pointer on the past. Parson Bradley was the preacher of a Baptist congregation in Boone county before the war. He always had a revival in winter, and sometimes he would work in an extra one in summer. It was at one of the summer revivals he brought Tom Liston to see the error of his ways. Tom was known to have done a great many things in his life which were not good in the sight of the Lord, and it was suspected that he had done a great many more of them kind of things than any of the folks in Boone county knew about. So the night he went forward there was a big sensation, and the congregation had its ears pricked up to hear what revelations he would make in his 'experience.' When the parson whispered in the ear of Tom and told him he was expected to make confession of his sins and the repentance that had brought him to the throne of grace. Tom said he didn't know he had to do that or he wouldn't have come forward. So the parson he up and said to the congregation:

" 'Brother Liston is not willing to tell his experience. To make sure of his salvation, through the washing away of sin, we will not baptize him until

after the fall rains, when there's more water in the creek.'

CARDWELL'S REVELATIONS.

"Some of them have been telling their 'experience' up at Independence, and their confessions are enough to call for heavy rains all over the state. But they couldn't get the creeks high enough in Missouri to baptize the gang unto a life everlasting, for none of them have told a patchin of what has been agoin' on in the last half a dozen years, and not one of them has gone back to the primal sin, which was the first committed by the party after it was restored to power, and that it was in the sale of them bonds. They knew that we were all in exactly that condition of mind, on getting back into control of the state. that all they had to do was to say 'Count Rodman' or 'Drake constitution' and we'd all come arunnin', no matter what they did. The way we used to all come a runnin' whenever the Democratic party leaders in this state blew the horn reminds me of a service I once saw Pete Trone hold in Shelby's camp. The chaplain had noticed that we were growing away from grace a little faster than he thought we ought to, and it was a Sunday morning he was giving it to us on the line that we had a worse enemy than the Yankees, and one that we ought to fight harder. 'I would rather,' said he, 'see you fight the devil more and the Yankees less.' Right at that point we heard a volley, and we knew our picket line was bein' attacked. The congregation broke up, and the parson yelled above all the infernal roar, 'Come on, boys. We'll fight the Yankees to-day and the devil to-morrow.'

"That's the way we've been doing in Missouri for thirty years. 'Tain't because we haven't seen the

devil's horns and hoofs a-stickin' out at us time and time again. We seen it on the bond deal, because we're not fools, and we can see a thing as quick as anybody, 'specially when it's a plain as that was. We all seen that the devil was a-fixin' up that law of 1883, which give them the power to move school moneys out of the revenue fund into the school fund, and from there into the sinking fund. The devil it was sure, that was fixing up that temptation to sin. We all saw it. But about the time we made up our minds to fight the devil and all his works, somebody would give the alarm that the Republicans were coming, we'd hear a few shots, and the congregation would break up and the parson would tell us that the devil could wait. That's the way we've been goin' on.

"But there's one excuse for us. We didn't know how badly it really was. When I commenced hunting up the evidence in this case I got a pretty good idea of what Bill Phelps meant when he talked about sucking the eggs and hiding the shells. I found out before the experts did that there was no entry in the books of Missouri of the transactions of very near $4,000,000 with the New York firm of Kohn, Popper & Co. Of course, they wouldn't believe me when I told 'em so in the campaign of last year, because they didn't want to, but now they've gone and paid several thousand dollars to experts to sell them the same thing I told them for nothing. Well, now, that's bad enough. Hiding the shells in the politics and administration of this state commenced in the Democratic party before either Bill Phelps or Bill Stone cut any figure in it, and bear that in mind, for I am going to show you, before I stop talking, the evolution from selling state property the legislature didn't want to sell to selling the legislature

itself. And, to understand the whole thing, I have been hunting for a month back to find them egg shells that the books of Missouri show were hidden somewhere. I had my money bet on the red, and I wasn't goin' to let go of it until they could show me that nature hadn't took her course.

FINDING THE SHELLS.

"Where do you reckon I found them shells? Nowhere in Missouri. I had to go to Washington, and the thing that started me there was their claim that the government bonds were due and had been called in for cancellation by the secretary of the treasury. I didn't believe it. It was a lie invented to excuse a usurpation and a deliberate defiance of the people and their elected representatives. I sized it up that if the bonds were on the point of cancellation Kohn, Poper & Co. would not have paid any premium at all for them, and, in fact, would not have bought them at all. Deducting the accrued interest, which went with the bonds, from the total premium, Kohn & Co. paid, although they paid away below the market, $200,000 more than the face of the bonds. I could see it plain enough that if the treasury had called these bonds in, it would have to be a crazy man that would pay a premium for them, and then I saw that, on the day of sale, the class of bonds to which these bonds of ours belonged, ranged from 15 to 20 per cent premium. 'This is a bull con they're arunning here,' said I to myself, says I; 'and if them bonds were due for cancellation Kohn & Co. would not have bought them at all. When Jim Seibert got Mr. Popper to come out here a few weeks ago to take up this bond matter, and put up a defense for the Democrats, I was waiting to see what Mr. Popper would have to say in explanation of his queer conduct in buying a

lot of bonds that had been called in. I wanted to know if he was the same kind of a financier that Dan Moore was, who used to live over in Audrain county. Dan bought a horse that was no good, and it died on his hands the first week he had it. The one thing that consoled Dan was that he wouldn't have to feed it, and I was wondering if Mr. Popper was going to say that he paid a premium on the bonds just because it wouldn't cost him anything to keep them, when I got word that he had left St. Louis and returned to New York without saying a word. I had seen it stated in the Republic that he had come out here for the purpose of explaining the whole deal, and I wondered why he hadn't done it.

"I packed up my red and yellow carpet sack, and started for Washington. I had got to the point by that time of knowing that nature was taking her course, and of being willing to bet that the baby was going to have red hair. I could see that red head before I got over the mountains, and when I got to Washington I got another illustration of the fact that whenever you bet that nature is going to take her course it's like finding money if you can get anybody to bet with you. I have practiced in all the departments at Washington in my time and I knew how to make the necessary professional connections to get a lawyer to take a squint at the records of the treasury and see when those bonds were redeemed and in whose favor. I had a complete list of at least three-fourths of them, numbered in their order, and the result of the investigation was astounding. Not one of the bonds was redeemed for years after the sale. A number of them went into the hands of national banks as security for circulation. The ten bonds numbered from 4845 to 4854 for $1000 each were finally redeemed by the First National Bank of

New York. The National Bank of Norwalk, Conn., got $10,000 worth of the bonds by transfer. The Dry Docks Savings Bank of New York, got $10,000. The National Park Bank got the same. A like amount went to the National Broadway Bank of New York. Same to the Poughkeepsie Savings Bank. Most of the bonds went to the banks I have mentioned, the trustees of the London Assurance corporation and Drexel, Morgan & Co., Vermilye & Co. of New York got Nos. 781, 782, 823, 824, 853 to 857, 787 to 793, 818, 819, 821, 825. The treasurer of the State of Maine bought Nos. 778 and 779. The Dime Savings Bank of New York took in the numbers from 771 to 774, inclusive. The Howard Insurance Company of New York bought bond 776 for $10,000. In short, nearly every one of our bonds is accounted for as having been in circulation for years after they were sold by the fund commissioners for $70,000 less than they were worth according to the current market prices, on the day they were sold. Who got the rake-off? I have found the shells, but who sucked the eggs?

THE EVOLUTION OF BROWN.

"Now, if I hadn't been nearly as big a fool as Thompson's colt, that swam the river to get a drink, do you reckon I'd a put off finding these shells, or even looking for 'em until this late day? Do you reckon I'd a blinked at the sale o' them bonds without inquirin' the price and wantin' to know why we couldn't get the market price, if the bonds were still to run, and what in the devil Kohn & Co. wanted with them if they didn't have some time to run yet? If I hadn't been as full of vulgar and ignorant political prejudice as the Republic is full of the pictures of Dave Francis, I would have got right up

then and said: 'Here, I'm from Missouri, and you've got to show me about this thing; or, if you can't, there's enough of us like me around here to sink you into kingdom come.' Say, instead of doing that, we would go to the place where the egg suckers would have a man to make us a speech, who would wave his arms and lift up his voice and cry out to us to stand by the old party, stand by the lost but not dishonored cause, stand by the holy memories which clustered around the graves of our heroic dead. And we'd throw up our hats and yell while the pickpockets who were working up all the excitement were going through our pockets. I never think of them days that I don't think of the time Riley Elkins got his pocket picked at a Democratic meeting at Moberly. Riley was one of us who was standing by the holy memories, and didn't care a damn about the price of United States bonds. He took up with a stranger who swore that McNeil was worse than Benedict Arnold, and Riley flashed a roll in front of him. When they got into the crowd in front of the stand another fellow picked a quarrel with Riley, and while he had his hands up his pocket was picked. But he didn't see the connection, and I guess he's voting the straight ticket yet.

"Along in 1883, seeing how we took the hook, with that kind of bait on it, they put through another conversion of the school fund, and this time they just put the key of the state treasury in their pockets and walked off with it. They give themselves the power to take any money out of the school fund they found in there, 'from any source whatever,' and that was nothing more nor less than opening the treasury and giving them the combination to the lock. I gagged a good deal at that. I could see that nature was goin' to take her course again, and

that there was sure to be another red-headed baby in the family; but I went to a meeting and was asked to stand by the holy memories, and I done it. And if you want to see that red-headed baby, I'll tell you two places where you can find it. One is in Auditor Walker's report, where he reports the moving of over $200,000 out of the revenue fund into the school fund, and from there into the sinking fund 'for the liquidation of debt,' and where he also reports that all of the bond cancellations of 1885 and 1886 were made out of other funds than the school fund. You can see the red-head again in the Allen part of the expert report when the auditor admits that bond cancellations have not been coincident with the issuing of certificates of indebtedness to the school fund. I saw that red-head a-comin' in 1883, but I let my fool prejudice keep my mouth shut, and I kept a-hopin' and a-prayin' that the Lord would reverse the laws of nature in this case. I didn't expect it, but I kept on prayin' that the baby wouldn't have red hair; but, oh, Lord, it's so awful red that even when I shut my eye I can't fool myself that the Lord has listened to me, like Job Hyatt's mother thought he did to her. She was a good old lady who lived down in Bollinger county, and she had a son Job, who came out of the war with a wooden leg on him. He married the girl he had left behind him, and the only cloud in his mother's sky was that his wooden leg might be an inheritance of his posterity. But the old lady had a heart of gold, and kept her secret anxiety to herself, from everybody but the preacher, who she asked to pray the Lord to save the children. He put up a prayer which, he told her, was sure to be answered, because it was made in perfect faith that it would be. But nothing would satisfy the old woman until the little

stranger that put in an apearance was discovered to have two well developed flesh and blood legs on him. Then the old lady threw up her hands and cried: 'Bless the Lord for that; he has turned aside the law unto them that have faith.'

"But I can't get any such satisfaction as that poor ignorant old woman got. I know the law has not been suspended, and never will be. A red-headed baby was born in 1883 because nature took her course, and he turned up at Kansas City the other day and registered in the name of E. O. Brown. That E. O. Brown is several red-headed babies done up in one package. He is the natural consequence of what we were doing a quarter of a century ago when we were allowin' the state officers to burglarize the school fund, to take property out of there which the legislature had refused the state the right to take, and to sell it for less than the market price. He saw the thing done. It was a bold daylight robbery. The burglar didn't run, but he walked down the street and we didn't ever cry 'Stop, thief!' as he went by us, because he had it fixed that, as he came out with the boodle, a band turned the corner that was playing 'Dixie,' and we all raised the rebel yell.

"Brown is an evolution. He is the natural result of the laws that we have all seen working before our eyes and made no effort to counteract because these fellows who never smelt Yankee powder in their lives have been appealing to us to stand by the men in gray. Last year they turned down Frank Pitts, who lost an arm with Stonewall Jackson, because he lived up to his official oath as state treasurer, and they couldn't trust him as auditor, and they put in that place a man who had been Jim Seibert's chief clerk for a long time. There's a red-headed baby in that, too. You can't make cats out of rabbits. Nature takes her course every time.

THE SHELL GAME.

"That's why we've got Brown. I've had such a time hunting the shells on these two bond deals that I've only had time to dip into this Cardwell business once, but that was often enough to let me find the course of nature in the case. Sunday two weeks ago I put it out cold that Col. Phelps was trying to pull the thing off. Everybody else thought he was the man behind the scenes who was pulling the strings that worked the dancing figures on the stage. The colonel is pretty good at that sort of manipulation, and in the beginning he was the man behind the curtain on this deal. I am sure of it. Stephens was in on it, too. The men they had started out after were sometimes the same, and sometimes different. Stephens was camping on the trail of Sam Cook; Phelps was after Stone. But between you and me he was just as much after Dockery and John Carroll, and he had to go after Seibert, not because he wanted to do up Seibert, but because he hoped that if he ever got Seibert on the stand he would bring out the corporation contributions to the Dockery campaign fund, and show up that while Dockery was swatting the trusts at the forks of the creek and demanding in thunder tones a corporation franchise tax in Missouri, both the trusts and the franchise corporations were putting up their money to elect him. Then he wanted to hit the trail of John Carroll as king of the lobby in the first Dockery legislature. There's a big story in that. I've told a good deal of it, but Phelps wanted to bring it out under an oath by state and committee officials.

"I don't believe that Phelps started out after Stone. 'Tain't that he loves Stone. He is against him on every proposition, but he started out this thing on another trail. Stephens wanted to go on the stand,

and hurried back from New York to get a chance. But before that, and after Sam Cook and some others had testified, and it was known that Seibert was the man they were after, a tremendous pressure was brought to bear to put a stop to the whole thing. As soon as Stephens struck St. Louis the interests in that town which very often influence him were put on to him to get him to use his pull with Phelps to call the thing off. None of them down there seemed to know how bad Stephens wanted to tell that story about Sam Cook and the breeders' bill. It had to come out, and that is the principal reason why Brown didn't show up a week earlier than he did. I'm givin' it to you hot off the wire in tellin' you that. It's nature taking her course again, and maybe we'll get another red-headed baby out of it.

I said that there was a pool of the Burlington and the Missouri Pacific in the mad rush to put terminal facilities to the Cardwell suit. There is a community of interest there always, on political lines, and Phelps found that he was without underpinning to stand the storm. He made a bluff at calling the thing off or urging Walsh to call it off, but Walsh didn't scare at the bluff, and Cardwell said that bluffs would not go, and that nothing but cash bets would be considered. It couldn't be shut off until after Stephens had his say. After that Stephens wanted it called off as much as anybody, particularly when it got up close to the transit consolidation deal, and there were relatives of Stephens in St. Louis who were as anxious as he was to not let the thing go too far in that direction. Stephens being one of the main reliances of Phelps in state politics, what he said to the deposed king of the lobby was apt to go a long way, and everybody knew it.

It did. Brown didn't show up until the ex-governor had sung his little song. And before the Lord, that was the funniest proceeding I ever read about. Do you hope to fool men of sense with such monkey performances? Depositions give a man opportunity to say anything he wants to, but whenever a question got to Stephens that would lead up to these other things I have been telling about, Walsh would object to his answering, and the ex-governor would at once fall back behind the objection raised. Why, it's as plain as daylight that Walsh had his cue to object to everything except the line which had been indicated to him as the line that Stephens was anxious to testify on. The stage machinery was all behind the scenes, but it creaked so loud in putting the thing through the motions that it was given dead away. It all reminded me of a show I saw at Ironton one night during the war. They were trying to show off a storm, and the machine they made the thunder with groaned so you could hear it all over the house. Ted Pritchett, who was in our party, asked what made the moaning.

"Oh," said Tom Ford, of Warren county, "that's the wind that can't get out of the box, and it makes more noise than that that does."

Which isn't saying, by a long shot, that Stephens didn't release enough of it to raise a cyclone. He did make some of them hunt their cellars, and it is all up with Sammy Cook now. He got to the cellar, but Stephens blew his house down on him. Sammy is a hasbeen, a back number on the files, a two-spot found in a last year's bird's nest. And it doesn't add to his peace of mind a bit for him to know that Stephens was the prime mover in his downfall. But he knows it all right enough. I have played no favorites in that game, but I knew where the feud

commenced, and what it fed on, and I can give it out cold, and give the story to back it up if anybody calls my hand, that justice between man and man has been done in this destruction of Cook by Stephens, and that the ex-governor has played his hand well. If he hadn't, particularly on the stand, he and Cook might go together and be buried in one grave, which would have to be a mighty wide one to accommodate them.

THE GUM SHOE.

Where the gum strikes in on this trial is an interesting point for me. Phelps found that he was up against it in his own company. Mart Clardy was attorney for Seibert, and also the attorney of the Missouri Pacific railroad. He was in favor of calling the thing off after the first hearing, and he didn't give a damn for Stephens, either. Phelps did a lot of telephoning to Walsh, but it didn't count, and Phelps said that nothing but the long green would fill the hole. They went to work to raising it, and they raised it not only among the corporations of Missouri which are in the line of legislative assault, but among the bankers and brokers who are associated with such interests. They went around and passed the hat, and I can find men who will go on the stand and swear to it. This money was put in the hands of Phelps for delivery where it would do the most good. Who Phelps got to deliver it is a question which is a great deal more interesting than it is important. What is both interesting and important is that letter of Bill Stone defending all of the transactions which were exposed at Independence, which apeared in the Republic the day after Cardwell withdrew his suit. All of the testimony was in three days before that. It was known what had been brought out, but the Lord only knew what

was going to be brought out if Seibert and Stone had to go on the stand, and this man Walsh, with all of his intimate knowledge of the ground floor work in the Democratic state committee, was to put the screws to them. There's where your gum shoe fit in exactly. William J. was apealed to by both Sam Cook and Jim Seibert to come to their rescue. They wanted him to defend them against the charges of corruption, and try to make the boys at the forks of the creeks believe that the corporations had been handing over money to the Democratic state committee to help it put them out of business. They told him that he was the only man in Missouri who could induce the mossbacks to believe that Sam Priest, as the attorney of the consolidated street railways of St. Louis, had given thousands of dollars to support an antitrust platform in 1898 just out of a desire to see the party succeed and without any pledge that it was not to oppose the street railway consolidation bill.

William saw the danger of rushing into the fight until it was all over. He wanted an assurance that the deposition mill was to stop running. He was in consultation with Clardy and Seibert in person, and had frequent talks with Sam Cook over the wire. When he got the word that the whole thing was off, he rushed down to the Republic office the copy of the brief he had written in the pleadings in defense of Seibert and Cook, and the other men now indicted before the people of Missouri. Stone is about as much of a criminal lawyer as he is a corporation lawyer on technical points. It is my opinion that the whole outfit of bunco steerers, flim-flammers and egg suckers are on their last legs. The men who suck eggs and hide the shells to-day are the legitimate descendents of those who did it in 1875. But

they are not going to walk off with it like the old fellows did. The men who sucked the eggs they found in the government bonds walked around with the yellow streaks on their chins, after they had hid the shells. The men who sucked the eggs they moved out of the revenue fund into the school fund and from there into the sinking fund, wiped their mouths on their sleeves and you could see a long yellow streak there for a long time afterwards. But we weren't particular then. We weren't through fighting the war yet. I guess we're through now. If we ain't, we're not going to have eggs enough left in this state to make an omelet. We can save the shells and hatch another expert out of them. I would call Stone's defense of boodling and sandbagging a mistake if I was not sure that everybody else thinks so. You all know it, so there's no use a-telling you so. I think it is the end of Bill Stone and I believe that William himself will begin to see it before long, when the details of these transactions begin to come out. And they're a-comin, I'm hunting more shells.

SCHOOL FUND LOOT.

THE "OLD POLITICIAN" PUTS FINISHING TOUCHES TO FRAUD AND PRETENCE.

How the Chief Witnesses for the Defense Impeach Themselves and One Another.

Where the Rat was Caught—Supt. Shannon's Shower of Bricks—Interest Deducted from Premium.

[From the St. Louis Globe-Democrat.]

JEFFERSON CITY, MO., December 7.—"I've caught the rat," said the Old Politician. "The trap I used set the Republic to figuring interest and premium on the government bonds we sold when we began laying the ground floor for the sinking of the school fund in the sinking fund. I figured it out that we got less than 12 per cent premium, when the market premium was away up over 15 per cent. I knew I was right on the general proposition, but if I had made my figures capable of a mathematical demonstration the dignified silence we would have had on the other side would have been like that of Jack Weatherford up in Grundy county the time he was running for office. The editor of the opposition paper had Jack's record in his hatband, and he give it out on the installment plan. He said that Jack was a horsethief and also a perjurer, and that he came to Grundy county as a fugitive from justice. The committee told Jack he would have to take it up or get off the ticket.

"'I've challenged him,' said Jack, 'to tell the color of the horse he says I stole. If he can't do it, the whole charge falls to the ground.'

"'They fired him off, but as long as the world stands men of his type will attempt the old trick, and I have known it for, lo, these many years. And I was dead sure that the error in the figures would smoke 'em out. I didn't have to wait long. 'Since when,' the Republic asked, 'has $242,366 come to be less than 12 per cent of $1,671,600? A premium of $242,366,' it said, 'is exactly 14.49 per cent.' I told 'em to go up head, for they had turned down the whole class, as the rest of us had been calculating that the interest which Kohn & Co. got, along with the principal, ought to be set off against the total premium, and that would bring it down to somewhere about 9.9. 'Wrong again,' cried the little school-marm of the Republic, clapping her hands in rapture, 'for, taking out the interest due, the premium would be 11.29.' And right then the trap was sprung.

THE RAT SQUEAKED.

"The next day the rat squeaked. If you have ever seen a caged rat nosing around for an opening to get out, you must have had some temptation, if you are a man of any feeling, to open the door and let him go. That's the way I felt about the Republic for a few days. But as I always have to kill a rat, in spite of my feelings, for the good of society, I can make no exception in this case, although the squeaking has appealed to me. 'Kohn & Co. never got the interest,' the Republic squeaked, 'and the books will show that they paid it to the school fund.' The next day it squeaked that the premium on the bonds included the premium on the interest, and that Kohn & Co. paid premium on the interest due on the

bonds, which will show you how badly the rat was scared, and the desperate attempts it was making to get out of the trap. They couldn't name the book, or the page of the book, or the set of books it belonged to, but they were sure it was there. Where the trap closed up tight, was at the place in the expert report, where it is said that the books of state show nothing of an account of the transactions with Kohn & Co. Another place where the trap was closed was in the extract from the books of Kohn & Co., which appears in the expert report, on page 47 of the statistical exhibit, showing that the only interest ever paid by Kohn & Co. to the state of Missouri, amounted to just $1750. That was all. And the interest due on the government bonds, on the day they were delivered to Kohn & Co., was not two thousand dollars short of $50,000.

"Then came Shannon. Shannon is a man who works hard without knowing it. He always reminds me, in an argument, of the Irish hodcarrier, who was asked if his work did not tire him. 'Begod,' said he, as he pointed up to the bricklayers at the top of a four-story building, 'it's the min up there who do all of the wurruk.' But Shannon does the sweating. And he sweats blood. He carried the hod on this deal, and did most of the work of putting up the house, but he didn't want to do it, and the bricklayers on the top got a darned sight more money out of it than he ever did. But every time this question is brought up he rushes to the front with his old hod on his shoulders, and goes to carrying a lot of bricks up the ladder, when there's no call for it. And he slips, and stumbles, and let's the bricks fall on the heads of the people who are boosting him up the ladder. He let a whole hodful fall on the heads of his party last Monday, when he tried to climb the ladder and stumbled at the third floor.

CASE CLINCHED.

"The Republic, inspired from the statehouse, had said that Kohn & Co. paid all of the interest due on the bonds at the date of transfer into the school moneys of the state. They figured it out at nearly nearly $45,000. The expert report settled that claim by showing that the only record of interest ever paid by Kohn & Co. to Missouri was in the firm's own books, and was for only $1750. Nothing more was needed to clinch the case. The nail was driven home. The dog's eyes was sot. But as soon as I saw that Shannon was starting up the ladder with a hod on his shoulder I knew that there was going to be a shower right away, and that people who didn't stand from under were sure to get hurt. And, sure enough, when he was about half way up, the bricks commenced falling so thick that none of the anxious crowd below, all of whom were looking up to see how the thing would work, got away without a broken head. The biggest brick in the whole lot was big enough to cover the whole gang, and that's just what it did. 'The schools of the state did get that interest,' says Shannon, 'out of the premium paid for the bonds, and that's as plain as daylight.' True for you, Shannon; that's just what it is, and that's just what I said at the start. They wouldn't believe me. The Republic calculated that $242,366 was 14.49 per cent premium on the bonds, and, of course, it was if there was nothing to come out of it. If the interest was added to that $242.366, and made a part of the premium, then the premium would be more than 14½ per cent, wouldn't it, Shannon? It would be about 3 per cent more, wouldn't it? But the auditor says it was 14½, the Republic says it was 14½, and you say it was 14½. Well,

then, since the interest was not added to the premium, it's a dead sure shot it was deducted from it, or, rather, made a part of it. When you talk about making the interest due on bonds a part of the premium on the same bonds, Shannon, you've got to have either addition or subtraction in the case. There's no getting away from that. One or the other has got to come as sure as you're born. It can't be a part of the apparent premium without being added to or taken from the real premium. You can't eat your cake and keep it, too. You can't include interest in premium without putting the premium up or down. And, since you all have figured it out that the premium was 14½, including the interest, deduct the amount of the interest due on the bonds at that time, almost $50,000, and you find that the real premium paid on them bonds was less than 12 per cent—11.29 the Republic figures it. There's where the rat died.

A FEW MORE BRICKS.

"It has not squeaked since the Shannon shower. You see nothing and hear nothing more of the claim that the United States bonds in the school fund were sold at 14½ per cent premium. They do not dare to keep up that claim, in view of the report of their own experts, of the books of Kohn & Co. and their own confessions. If they did, Shannon has dropped a few more bricks out of the hod to settle them at short notice. To tell the truth, every time they have opened their head Shannon has had a brick for it. Of course, he doesn't mean it that way, but every time he makes a confession it costs him and his party dear, and reminds me of a story I have heard of Col. Boulware, of Fulton. Col. Boulware is one of the most able and eminent criminal lawyers in

the West, whose light is too brilliant to be hid under a bushel, but who has a criminal practice in most of the states west of the Mississippi. Once he was defending a man in one of the counties on the Missouri border of Kansas against a charge of murder. I have heard it said that Col. Boulware would a great deal rather clear a guilty man than an innocent one. There is more of professional pride and glory in it, and I have heard him say that a guilty man is always willing to shell out a bigger fee than a man who knows he is innocent and thinks the world ought to help him prove it. This fellow who had retained him out in west Missouri kept a sticking to it that he was innocent, but when the colonel put him under a private cross-examination he made so many damaging admissions and contradicted himself so often that the colonel was satisfied of his guilt, and his profesional enthusiasm was aroused. It was a very difficult case to handle, though, and the more he tried to train the fellow the oftener he blundered. At last the colonel said one day, after a rehearsal in which he had taken the part of the state's attorney, with the prisoner on the witness stand, says he: 'If you can be as big a damphool to the jury as you are to me, I'll put you on the stand, and they'll never hang you. That's the only way I can save your neck.'

SHANNON "ALL RIGHT."

"And that is the same kind of reasoning that has always made me think that it wasn't Shannon who got the swag of them two bond deals. If it had been he wouldn't be always bobbing up and giving himself dead away as he does. I know it is not always a safe thing to acquit men on that kind of reasoning. The jury that acquitted Col. Boulware's

client made a mistake, but I have always insisted that Shannon's telling the truth the way he does ought to acquit him, whether he is guilty or not. Shannon is the best hand at telling the truth that I know of, because it comes out of him unconsciously. He never intends telling too much of it, but he meets with accidents because he allows himself to get mad and splutter. He starts out with the best intention in the world to distort a fact about something, and before he gets through he has revealed a fact his friends have tried to conceal. The story of the interest is one of them. In the same pile of bricks are the market quotations he cited to prove that he did not buy the state bonds above the market price. Nobody ever said he did, but I have said, and still say, that the evidence of conspiracy and betrayal in that case is in the facts, admitted by Shannon, that the state board of education made no effort to buy any of these state bonds which were being sold by the fund commissioners in 1875, until after they had all been sold to private parties, at a discount. Then the state comes in and buys these same bonds of Kohn & Co. at a premium, paying the New Yorkers $20,000 more for the bonds than the state could have got them at two weeks earlier. Shannon starts out to misrepresent the facts in the case, and makes references to dates, but he begins dropping bricks before he is past the second-story windows. He names dates on which the Missouri bonds were quoted higher in the market than the price he paid, and gets people to look up them dates. And, of course, while they're at it, they conclude to see what the price of the government bonds was on the same days. And that's where Shannon drops another brick, and hits the Republic so square between the eyes that it looks like it's got three eyes

now. Both the Globe-Democrat and Republic of November 13, 1875, the day on which, the Republic and Shannon say, the government bonds were sold, show bond quotations on the St. Louis and New York market. Both of their reports are 'corrected by P. F. Kelleher & Co., bankers and brokers, 307 North Fourth street,' so you see there's no room for argument between them. And both of them say that on that day when our government bonds went, according to Shannon and the Republic, at less than 112, the selling price of the 5-20 government 6s of 1886 was 116⅜. We were just about 5 per cent below the market on two-thirds of the bonds we sold, for $1,150,000 of our bonds were 6s of 1865, registered in the name of State Treasurer Bishop.

LOSS TO THE STATE.

Now, I'm going to do a little more figuring. That 5 per cent loss on the 1865 6s was $57,500. Then we had $151,100 in government 6s of 1865, registered in the name of the state board of education and of State Treasurer Dallmeyer, on which the loss of 5 per cent amounted to $7555. Our 5-20 bonds of 1864, amounting to $152,000, which we sold at less than 112 on the 13th of November, 1875, were worth on the market that day 114½. Our loss was about 3 per cent and amounted to $4560. Then we had $13,000 in bonds of 1867. According to the market reports, "corrected by P. F. Kelleher & Co.," they were worth 121¼ on the day we sold them for less than 112. Our loss on that deal then was about $1300. In our batch of bonds were others of which I have not been able to find a record, but these I name I have got nailed down, and you can add it up for yourself to find out how much we lost in selling them at the figures Shannon and the Republic say we got. How

much is it? On the issues of 1865, $65,055; on the issue of 1864, $4560; on the issue of 1867, $1300. Total $70,915. Add this to the profits of Kohn & Co. on the other bonds I have enumerated, and their profits of about $20,000 on the state bonds, in two weeks, and you can see it was about $100,000 of Missouri money they walked away with.

These are not my figures. They are the figures which appeared in the Missouri Republican of November 13, 1875, "corrected by P. F. Kelleher & Co., bankers and brokers, 307 North Fourth street." It makes no answer to them to put the "Old Politician" a-roosting on the limb of a tree in a Republic picture. If you ever get me to roosting on a limb you can bet your last nickel that I won't take a saw and saw the limb off, like Shannon and the Republic do. If I'm going to hit the ground, somebody else will have to do the sawing, and nobody has done it yet. I never in my life saw a finer piece of work in the way of sawing off of that kind than the Republic did when it took me up on the assertion that this sale of government bonds was done under cover because it was known that if it was submitted to the legislature there was every prospect that it would be defeated. What I said last Sunday was that "none of us knew what was being hatched until the whole thing was done. They were afraid to lay it before the legislature, because they knew if they did it would at once raise a howl that would frighten the legislature from ever agreeing to it. This entire thing was done under cover, and that's the worst feature about it all."

MUST "SHOW" MISSOURIANS.

The Republic quotes that, and then proceeds to prove it. It calls up the effort made in the legisla-

ture of 1874 to put through a bill "to transfer the United States bonds in the school fund to the sinking fund, and to reimburse the school fund." That was a bill to sell the government bonds. What became of it? They got it through the Senate, but before it was discussed in the lower House they commenced hearing from the people. It failed to pass the house, and when no effort was made to put it through in 1875, we all thought, as a matter of course, that we had heard the last of it. That's what made me say that none of us knew what was being hatched until the whole thing was done; that they were afraid to lay it before the legislature again after it had once been defeated there. And that's just what they were afraid of. If the thing hadn't been brought up once and defeated, we wouldn't have been so sure of it, but after the scheme had passed the senate, and then the people had defeated it in the House, we thought they had given it up for good, and we never dreamed that they would go ahead and do it anyhow, without ever laying it before the legislature again, when the legislature was holding annual session, and could have been called in extra session at any time by the governor. We were Missourians, and we thought we would have to be shown, but they didn't show us then, and they're trying to keep us from finding it out now.

What they did was an act of usurpation. Without laying the proposition to sell the bonds again before the legislature, they went ahead, in an underhand way, which I use no improper term in denouncing as conspiracy, in the exercise of a power which had been expressly withheld from them in the organic law, and which had been denied them by the lawmaking power of the state. If you want to see the shadow of that conspiracy, read Shannon's com-

munication to the Republic in the issue of November 4, 1900. He says there that everything was to be done quietly. There was to be no publicity about the matter, he said, for prudential reasons connected with prices. And, he says, when it came to dealing with Mr. Popper for the sale of the government bonds, the fund commissioners would not deal with Mr. Popper directly, but had Mr. Shannon carry his figures into them, and then authorized Shannon to close with him on the terms he had offered. But in order to understand all of that better, you will have to read, in that same communication to the Republic, of how Shannon had tried to get out of this job. The people had condemned the sale. The legislature had refused to authorize it. The men behind the deal had been afraid to resubmit the proposition to the legislature only a few months earlier. And now they were preparing to do that thing which they had been refused the power to do, and which they knew the people did not want done. I don't wonder that the fund commissioners avoided the responsibility. Shannon himself tried to avoid it. "I protested against the order of the board, and pleaded that I be relieved of further responsibility," he says. But they nailed him to the cross. They accepted the first bid Mr. Popper made, Shannon assures us, and he afterwards got it raised $10,000, because he thought it too small. And I believe he is telling the truth.

BLAMES THE "OLD POLITICIAN."

"Now you can talk all you please about governor this and that or senator so and so. Some of them are dead, and I will not assail them, but Shannon is alive, and him I will defend. He can call me a liar until he gets black in the face, a dastard, a scoundrel and everything else he can think of, but I

understand him. He is sensitive because he knows he was imposed upon at that time, and made to assume a responsibility which did not belong to him. He knows who is to blame, but he is too much of a man and a gentleman to squeal that he got the worst of it, or to go about in wild and weak complaining. He would rather take it out on me than violate what he holds to be an honorable confidence. He is sore on the whole question, and whenever the thing is brought up he has got to get to the front to try and show that it was not such a bad thing after all. If it relieves him any to jump on to me, I'm willing to stand it, for it's my opinion that there's something coming to Shannon from somebody. I am sure he'll never squeal or turn state's evidence, and if it will do him any good I'll agree to be to him what Bill Wells was to the editor in Tiptonville. There was an editor in that town once who had been getting the worst of it in several engagements. Bill Wells was the champion of the town, but he had a big heart in him, like a brave man always has. One day when he met the editor with his eye in a sling he stopped him and says: "Say, seems to me you're gittin' too much the worst of it around this town. If it'll do you any good or keep these fellers off o' you, I'll agree to take a lickin from you and not charge you a cent." Then the editor thought about it a minute and then he said:

"'Wouldn't it ruin your reputation, Bill?'

"'Oh, no,' said Bill, 'they all know you.'

CIRCUMSTANTIAL EVIDENCE.

"They say all this is circumstantial evidence. That's the kind of evidence that is said by great lawyers to be the strongest in the world. Gov. Johnson was once defending a defaulting county

treasurer who was away short in his accounts. The money was missing, and he couldn't account for it, although he kept on insisting all the time that he was not guilty of robbery.

"'It's only circumstantial evidence against me,' he said. 'The money has disappeared while I'm in office, but nobody saw me take it.'

"'If somebody had seen you take it,' said the governor, 'we might impeach him, or strike out his testimony, or make him contradict himself on the stand.'

"'Then,' said the defaulter, 'it's only circumstantial, isn't it?'

"'Yes,' said the governor, 'It's only circumstantial in your case, but badly reduced circumstances in the case of your bondsmen.'

"The governor gave a flashlight on what a skillful lawyer can do with direct testimony that he can't begin to do with circumstantial evidence. The men who are convicted on circumstantial evidence are the most surely convicted, in nine cases out of ten. And these same people who say that it is only circumstantial evidence which points to a rake-off for somebody, wouldn't raise a voice against the value of circumstantial evidence if it was brought against some poor devil who is on trial for his life. We have hanged a hundred men in Missouri on circumstantial evidence weaker than that which convicts somebody of having stood in on the deal with Kohn, Popper & Co. The evidence is a good deal stronger than what made Joe Padgett, of Randolph county, tell Riley Hall that he couldn't go back to Congress. Riley, you know, cottoned to the Populists and got himself elected on a fusion arrangement in his district. He was for silver up to the hub, and he used to scream about it at the Populist meetings. He was elected in 1892, but as early as 1894, the boys in both

parties had begun to suspect him, and in the Democratic state convention at Kansas City that year they challenged his poll of the Randolph county delegation, because they were afraid he was leaning toward Dave Francis and against Dick Bland. They had some circumstantial evidence, but it wasn't enough to convict, and so they sent him back to Congress for another term. In that term, though, he piled up the circumstantial evidence still higher by standing in with Cleveland and all his works, and when he came home he didn't ask for another nomination. I don't believe Riley got any cash money for deserting the party, but they all thought he did, and Joe Padgett told him so. Riley denied it, but Joe up and said:

"'Well, Riley, if you done it all for nothin' you're too big a fool to send to Congress. When this district is sold out I want somebody to get something for it.'

BAD TRADE.

"That was the circumstantial evidence in the Hall case, and it hanged Riley higher than Haman, in politics. And it wasn't near as strong as the evidence in this case. Here we were, with interest-bearing securities bringing in $100,000 a year from the outside and not costing us a cent. If we could have made anything by selling the bonds for what they were worth it would have been a good job. But when we got rid of that much money every year that was coming to us without taxation, and when taxed ourselves to get it back again, we surely ought to have got the best prices going. Instead of that, we let the bonds go for $70.000 or $80,000 less than they were worth on the day they were sold, only a week after we had bought state bonds, according to Shannon and the Republic, by paying $20,000 more than they

were worth a month earlier, when we could have got them as easy as not. That's stronger than the circumstantial evidence that put Riley Hall out of politics, and don't you forget it. It's a trade like the one Gabe Fannin made when he was a boy. Gabe was born up in Ralls county, and for a good many years he wasn't near as sharp as he got to be, and is now. It was the war that sharpened him up, for he was one of us, and I have heard him tell this story himself. He had been sent by his father to go with a cow that was to be sold to a neighbor, but on which no price had been set. The old man gave Gabe the top price and the bottom price, and the bottom price was $20. When the neighbor asked the price, Gabe said, 'Dad says he won't take less than $20.'

"'All right,' said the farmer; 'driver her in.'

"I met Gabe the other day, and, said he: 'At the time I done that you could have made me believe that selling them government bonds, and then taxing ourselves to raise the interest on them, was a good thing, but you couldn't do it now.'

"'I reckon,' said I, 'that nowadays you don't give your bottom figures first, either.'

"'Not when I'm selling,' said Gabe, but when I'm buying I do just like that New York fellow who sent in his bid for the bonds to the fund commissioners, in the hands of Shannon. That was his bottom price, and they never asked him for a higher one, although he was away below the market.'

SANDY HOOKER'S BREAK.

"But the trade in the bonds was more like the one Sandy Hooker made with Jim Marvin, up in Moniteau. Sandy had a threshing machine which was bringing him in good money, but he began to get

gay and wanted a horse and buggy to take his girl out in. Jim Marvin had what he wanted, and offered to trade him. It was the best trade Jim ever made, and he dates the beginning of his fortune from that day. But Sandy's troubles were not long in coming, and as soon as they commenced a-coming they kept a-coming fast. He got to going with a girl whose father dropped around one night with a shotgun and invited him out to marry her. They dated the license back a few months, to get a good start, and went to housekeeping. But Sandy had to trade his rig for a plow and a horse that couldn't pull it across a ten-acre field oftener than a dozen times a day. He saw he had got the worst of it, and vamoosed the ranch, but his wife came after him with a suit for a separate maintenance, and the court allowed it to her, and Sandy's a-paying it yet. His threshing machine's gone, his horse and buggy's gone, and all he's got is the certificate of indebtedness in his sinking fund, which the order of the court makes sacred and inviolate, non-negotiable and non-transferable, and which there is no danger of anybody in the world trying to steal from him. Sandy knows something about conversions in property. He is in the certificate stage right now, and is going to vote for the constitutional amendment in favor of repudiating all certificates now outstanding."

THE SCHOOL FUND.

THE "OLD POLITICIAN" PROVES HOW THE TAIL WENT WITH THE HIDE.

Bonds Sold Seven Per Cent Below the Market Price, Including Interest.

Record as to the Accrued Interest on the Bonds—Books at Jefferson City and New York.

[From the St. Louis Globe-Democrat.]

JEFFERSON CITY, MO., November 30.—"I don't expect," said the Old Politician, "that an experted machine and its suporters will agree with me. What I do think, though, is that they ought to agree with one another, and that each and every one of them ought to agree with himself. But they don't do it. The Republic called me a liar because I was figuring that the state didn't get 14½ per cent premium on the amount of money it turned over to Kohn & Co. on them government bonds, but when I got them around to my basis of figuring that the tail went along with the hide, and that the New Yorkers got the accrued interest, as well as the principal, the Republic figures it out that the premium would be 11.25 on the whole transaction. The Republic seems to feel toward me like Deacon Groves, who used to live in Knox county, felt toward a backsliding member of the congregation, whose alleged transgressions had been brought up before the deacons. 'That man,' said Deacon Groves, 'ought to be kicked by a jackass, and I'd like to be the one to do it.'

"TheRepublic has kicked at me every day this week, but, as I was saying, if it could only agree with itself it wouldn't remind me so much of Deacon Groves. I insist that 11¼ per cent premium isn't 14½ per cent by a long shot, when you let the tail go with the hide, and that's what I was doing, in my calculations all of the time. And that's what I'm doing yet, although the Republic insists that I am an old fraud, and that the entire accrued interest, amounting to over $40,000, was paid to the school fund by Kohn & Co., and that the amount was credited to them in the state's books. The Republic isn't what you might call an expert, but it seems that, on this point, it is more expert than them experts we hired, for they couldn't find any such a credit. They couldn't find any of the figures in the books, and in their report they say (page 67), that 'there is no formal account on the general books of the state showing the transactions had with this firm.' Now, I don't want to call the Republic a liar. That is not my style of debate. What I am going to do about this is to prove that it is the experts who have told the truth, and then the Republic will not be under the necessity of confessing that it has lied, for I will be as easy on it as Dr. Pope Yeaman was on one of the brethren years ago when there was a church trial, in which one of the parties was shown to have broken the commandment against bearing false witness into a thousand pieces. It was proved so pat and clear that there was no doubt about it, and it was expected that the sinner would surely be called on to humiliate himself before God and men by making a public confession. But Pope Yeaman's great soul was too white for such torture, and he said, after the congregation broke up: 'I think that the case is so clearly proved that we need no further testimony from brother—'

"'But how about the Lord?' asked one of the anxious brethren.

"'I think,' said Dr. Yeaman, 'that if the Lord is not satisfied with the punishment already inflicted, he will find a way to inflict more.'

"And after I prove the Republic out of line with all the other testimony in this case, they needn't confess to me, or to the people. Take it to the Lord in prayer.

REMARKABLE RECORD.

"Now, the experts say (page 67) that there is nothing in the books of the state showing any of the transactions of the state with Kohn & Co. Not a figure, or a line, or the dotting of an i or the crossing of a t, to indicate what was passing in the deal. They don't deny the deal, though, for it is reported in total figures in the auditor's books, showing the amount of bonds sold and what they were sold for, but nary a scratch of a pen indicating the payment of a cent by them for the then accrued interest on the bonds, amounting to a semi-annual coupon. I have already asked the Republic to tell where, in the books, or in what books, it finds a credit of more than $40,000 showing that Kohn & Co. paid the accrued interest on the bonds, and it assures me, in reply, that I am an old liar and an old fraud, and a defamer who is gangrened with malice. But where's the page? That's what I want to know. And that's what the experts want to know, too, and what they couldn't find. In order to get any kind of trace of this deal they had to go to New York and consult the books of the National Bank of Commerce, which was the fiscal agent of the state at that time, and also such of the books of Kohn & Co. as they could get hold of, as the firm has now gone

out of existence. And they didn't find, in any of them books, any record of more than $40,000 in accrued interest paid to this state by Kohn & Co., or Kohn, Popper & Co., along with the face and premium of the government bonds they bought. Not much!

"On page 41 of the statistical exhibits made by the experts you will find what they got out of the books of Kohn, Popper & Co. and the National Bank of Commerce. It is very enlightening on this point about the interest on the bonds. The face and premium of the bonds are set out in two separate items, and then, included in this transaction of the bonds, comes this entry: 'Interest, $1750.' And that is the only sum of interest referred to, and it's as plain as shooting that it was the only interest that passed in the whole deal. If the Republic can cite the book the page and the number, where any other interest is entered, it will accommodate a good many people who want to know the truth about this deal and who don't think that calling me a liar settles anything. The experts say that there is no entry of the deal in the state books, and in the figures they give from Kohn & Co.'s books they show that there's no such entry there. Now where is it? Of course, I know, Republic, that in the transfer of negotiable paper the seller is entitled to that part of the interest already accrued, and that's what makes me so all-fired mad about this thing, to think that we Missourians, who boast so much that we have to be shown, were taken in and done up so completely by a New York house, that we not only let our bonds go at less than the market price, but didn't get what always goes in such deals, the interest on the bonds up to the date of the transfer.

PRICES AND INVESTMENT.

"I tell you, if we could have sold them bonds at the highest premium going that year it would have been a bad investment. They went as high as 125, and the lowest they went in New York that year, according to the bank reports, was 118. Ours went at 11.25, according to the Republic, if we include the interest, and there isn't a scratch of a pen in any ledger account or any auditor's report to show that we didn't include it. But if we had sold at 118 we would still have been losers, for the reason that a man would be a loser if he should trade off a good, strong, working horse for an old one that he would have to feed. That's it exactly, and you can't figure it out any other way. In them government bonds we had a source of revenue that didn't tax us. It came out of the people of all the states, and came into our treasury, $100,000 a year, just like finding it. But if we had sold at 118—and we could have done it without any trouble—it wouldn't have paid us to sell at that figure if we were going to take the money and invest it in state bonds and put them in the school fund and collect the interest by an anuual tax on the people of Missouri. No, sir; it wouldn't have paid us even at that, for we would just have been throwing away a hundred thousand dollars a year we were getting from Washington, and turning around to tax the people of Missouri to get it back again. That's what we did, though.

"Some man writes to me, through the Globe-Democrat office, and wants to know why I didn't roar at the time this was done. He doesn't sign his name, and is what the Republic would call 'anonymous,' but that cuts no ice with me, for his question is a fair one, and I will give it a fair answer. None of

us knew what was being hatched until the whole thing was done. They were afraid to lay it before the legislature, because they knew if they did it would raise a howl that would frighten the legislature from ever agreeing to it. This entire thing was done under cover, and that's the worst feature about it all. On the 4th of November, 1900, in the St. Louis Republic of that date, Richard D. Shannon, of Warrensburg, who was the state superintendent of education at the time the sale was made, answering the first letter I wrote to the Globe-Democrat about this bond conversion, says that the matter was never thought of or discussed by himself, or the fund commissioners, until a few weeks before the sale was made, Shannon is not specific as to dates, but he thinks it was in the latter part of October he was notified that one of the series of bonds held by the school fund were called for redemption, and he says he had private information that another series would be called before long. Who it was that gave him the tip, he doesn't say, or what series of bonds that was which had been called, he doesn't say. The fact is, that throughout the whole of the discussion over this matter there has never been a man jack of them all to step forward with a full, clear, connected and intelligent account of the deal, giving the facts and the figures, the dates, the files of the books, the numbers of all the bonds, and the series to which they belonged. They just lay back and say that every man who asks for the facts is defaming the state.

BUILT AN INTEREST FUND.

"One series of the bonds was called for redemption, Shannon says. Well, the others were likely to run for several years after that, for the government was

just then beginning to accumulate gold in the treasury in preparation for the operation of the Sherman resumption act, which had just become a law. But supposing that all of them had been called, what then? What was the proper thing to do? Why, it was to sell at the market price, which was apt to be somewhere about 120, but if it was only 118, which, according to the bank reports, was the lowest figure for 6 per cent 5-20s in the New York market that year, our bonds would have brought $1,972,488. Do you think I would have invested that in state bonds and collected a tax off the people of this state to raise an interest fund in place of the one destroyed by the sale? Never in the world. Look at the United States Statutes (16272) and read the refunding acts adopted July 14, 1870. There you will find that all of these bonds could have been exchanged for the 5-20s which had been called in, par for par, or the government would sell the new 5s to purchasers at not less than par. Now consult the treasury reports, and you will find that the entire issue went at par. Well, now, they had not less than ten years to run. Why, any man who could run a threshing machine would see that the thing to do was to sell, if he was going to sell the bonds at all, and reinvest in the new issue. And $1,972,488, at 5 per cent. would bring into the Missouri school fund $98,624.40 in interest every year, every red penny of which would come out of the United States treasury. And they could have got it right along for a good deal more than ten years, and then they could have sold out again and converted the proceeds into 4 per cents and have them yet.

"But what did they do? Well, we all know now, but, as I was saying, none of us knew then, and it was to keep us from knowing that somebody kept the whole of the proceeding out of the legislature. I

don't know who was responsible for that, but what we all know was that Gov. Hardin was not aware that anything was going on in that way when the legislature met in 1875, and it was not until 1877 that he made a report of the transaction, after everything in the way of a government bond we had was gone. We bought some more later on. But that's another story.

HOW IT WAS DONE.

"Before I get through with this one, I want to tell how Shannon described the way this sale was made, in the Republic of November 4, 1900. 'At that time,' he says, 'the state did not contemplate the conversion of the securities from United States to state bonds. Nothing had occurred to suggest the necessity for the change.' And yet, under the refunding acts of 1870, they knew that the bonds would be called in the course of time. It was, perhaps, their intention to refund in the new 5 per cent, and if so, they ought to have stuck to it. But all of a sudden, it appears like they got a tip that the devil was to pay. A Mr. Dewitt C. Stone, who had formerly been a partner of Treasurer Salmon in a banking business, was acting as the 'confidential agent' of Shannon to keep Kohn & Co. from skinning us. Kohn & Co. were then in Jefferson City buying up state bonds at less than par, for the purpose of selling them back to us, in less than a month, at more than par. It was while this deal was going on and the fund commissioners were selling $1000 bonds to Kohn & Co. at $988 apiece, which the state bought back in a few weeks at more than $1000 apiece, that Shannon was notified that the government was after our bonds. He got notice of one of the series, and got a tip about another. Who gave him the tip he doesn't say, but anyhow he got scared up, because, says he, 'when

a bond was called for redemption it at once fell to par, all premium ceasing.'

"Now, will somebody tell me why, if the bonds, being called in, had lost all their premium, and fell to par, Kohn & Co. paid even as much as $11.25 premium on the lot? Will somebody tell me that? If they were worth only par, what made Kohn & Co. pay more than they were worth? Mr. Shannon says he had to watch them in the deal on the state bonds to keep them from bulling the prices when he started in to buy their bonds. But he failed. For the bonds they had bought at $988 apiece they sold back to him for $1003.75 apiece. They were business men who were consulting their own interests and not those of this state, and when it came to buying the government bonds you can gamble all the way from here to the Yukon and back that if the bonds had fallen to par they wouldn't have given $11.25 for them, although $11.25 was nearly 7 per cent below the market price for that class of bonds that year, according to the bank reports.

INTERESTING DEAL.

"But Shannon's description of the deal is one of the most interesting things I ever read. Mr. Popper, the member of the firm from New York, who was in Jefferson City running the deal for his house, was not taken into the fund commissioner's office. 'I gave Mr. Popper a seat in my office,' says Shannon, 'and took his bid into the board. This bid was carefully considered and unanimously accepted.' But Shannon, it seems, wanted to get a little more, and so he told Mr. Popper that the board insisted on having $25,000 more, which Mr. Popper refused to give, but offered $10,000 more, and this was accepted. The entire transaction, it seems to me, was strange, peculiar and mysterious and it is made more so by the

fact that nowhere does Mr. Shannon mention the figure at which the bonds were sold. 'This bond bid,' he says 'was carefully considered and unanimously accepted.' What bid? What were the figures of the bid? 'Mr. Popper,' he says in another place, 'at once emphatically declined to accept my offer.' What offer? What was the size of the offer? 'Mr. Popper finally agreed to add $10,000 to the sum.' To what sum? What was Mr. Popper's first bid and what his second? Why can not these people, in dealing with an important matter like this, be specific and not vague? But all of them who talk about it always withhold some point of fact, the understanding of which is necessary to an intelligent judgment. And if Mr. Popper agreed then and there to pay the accrued interest on the bonds, why doesn't Mr. Shannon say so? He didn't offer to pay it. He never did pay it.

"Jim Seibert has written to Mr. Popper to come out here and help straighten this thing out. Mr. Popper is on hand, but he has nothing to straighten. I guess if I had been in his place I would have played it the way he did, but if I had been a sworn officer of Missouri, intrusted by the people with looking after their interests, he would have known there was somebody in Missouri who had to be shown before he got away with all he took with him. You can call it a mistake, and say that men like Gov. Hardin could never have been corrupted. You can't get me to fighting tombstones, but I stick to it that it was a bad day's work for Missouri when such a great interest-bearing fund, free of taxation, as we had in them government bonds, was sold out, and the same amount of money raised for the school fund by taxing the people to get it. Missouri is the only state in the world that ever did that. And she is the only state that has ever issued certificates of indebtedness

in place of cash money taken out of her school fund. Other states have issued certificates of indebtedness in place of cash money taken out of her school funds, but they have always been free gifts, added to the school funds already on hand. But here, in 1883, they made the school fund a regular looting ground by declaring by statute that any moneys which got in there 'from any source whatever' should be liable to be taken out and put into the sinking fund.

THE BIG "GRAFT."

"They have been keeping that up ever since. The biggest graft they have got out of it was from the money received from the United States government in 1891, and which was applied to the seminary funds. I think there is something of a story in that, but it takes time to go through the figures of experts whose chief work is to deceive. The $201,000 taken out of the revenue fund and put into the school fund in 1885, and taken out of the school fund into the sinking fund the same year, is not found figuring in any of the bonded debt reductions made either in 1885 or 1886. I charged this last week, and you don't find any of them coming back at me about it like they all would if I should say twice two is three. Oh, they are an amusing lot, and they give their hand away after every deal, so that I can tell about what they're holding, and I'll tell you right now, my boy, there isn't an ace of clubs in the whole lot of them. They haven't got the cards, and if they had the cards they wouldn't have the nerve to play them. For they're up against it, good and hard. Things are a-keeping on a-happening to them like they did to Tom Blakeley the day the mule kicked him. He fell off a house, and into a well, and it was just after getting out of that he was kicked by the mule. Then he said it wasn't his lucky day, and went home

and went to bed without nerve enough left to play a full hand against a bobtail. And things are keepin' on a-happenin' to these folks in such a way that their nerve is gone for anything better than calling a man a liar, which is mighty little, between you and me. Seibert is surely losing his nerve when he sends to New York for Popper, to bring him out here as a witness. Popper is the same kind of witness, if he goes on the stand, that Sol. Mason was up in Gentry county. He had been subpoenaed for the defense, and after the direct examination the state's attorney began to cross-examine him.

"'Now, look here,' said Sol, 'it's no use to go to try to tangle me up, for I'm a man that stands by my friends.'

"I guess that's the way Mr. Popper feels about it, for he certainly owes a good deal of his fortunes to the Democrats who have been running this state. He ran another million dollar bond deal for them along in the eighties, which, I think, is another rat hole that will bear looking into as soon as I get a little time. But what I was talking about just now was the troubles of the Seibert ring.

THE CARDWELL CASE.

This Cardwell row is one with feathers on it, and spikes in its teeth. They're doing their best now to call it off. When I was in the telephone exchange yesterday there was a fearful racket over the wire and it sounded to me as though it might be Bill Phelps, in St. Louis, telling Walsh, in Kansas City, to call the whole thing off. I'll bet a horse that Phelps was after Walsh a dozen times yesterday. I thought so last night, and when I picked up the paper this morning and saw that Lon Stephens had got to St. Louis, I'd 'a' bet a span on it. And then I know

they've been bringing a pressure to bear on Judge Cochran and other men in the railway line to put a spoke in Bill's wheel. There is something like a 'community of interest' now between the Missouri Pacific and the Burlington, and then, you know, neither Stephens nor Crow would like to have that thing pushed too far. And that's just why Sammy Cook let out a few lines more in his testimony than anybody was expecting him to. He didn't tell all of the truth by a sight, but he told enough to scare up some people who were throwing stones because they had forgotten they live in glass houses. Oh, they're all tarred with the same stick. They put me in mind of them fellers that were at the court of Henry III., of France. In one of that crazy monarch's religious spasms he issued an order that all of his courtiers should flog themselves for their sins. There was a great deal of the noise of flaggelation around the palace, but very little of the real thing, and then Henry gave orders that, in the courtyard, they should flog one another. He superintended the thing himself, and it turned out well, because they all had their secret grudges, and every feller took a swipe at those he didn't like, until it had gone all around a good many times before Henry cried: 'Hold, my children, I don't think a sinner among you has escaped, and justice has been done.' Well, I don't know how long it will be until they get clear around in this game. They have only commenced now, and there are some, who haven't got a whack yet, that will come in for several. They can keep it going as long as they please, and I don't care how often they get around, they'll never stop if they wait for me to stop them.

"All the same, there's a mighty big effort being made to stop them right now. The wires were hot all day yesterday, and they're still hot to-night. This

man Walsh is a stubborn fellow, and he thinks he has a grievance, and I guess he has. Sam Cook threw his crowd down in the last ditch at Kansas City last year, after Sam had played them to get himself elected again as chairman instead of Seibert. He couldn't play openly, and so he encouraged the Walsh ment to fight, thinking to gain by it himself. He threw them down when he found he had to, and they have had it in for him and Seibert ever since.

"And I don't think they can stop them. But what if they could? The cat's out of the bag now. To gag the thing now, after as much has got out as has, can but add to public suspicion and distrust. No gentlemen, the cards are running that way, and changing the deal and getting out new hands would attract attention like what happened the night Mrs. Murphy reached inside her clothes for a card she had put there for an emergency.

"'Mrs. Murphy, mum,' said Mr. McFinnegan, 'we know it's all right, mum, but scratchin' wid kyards is forninst the rules. It not only gims the kyards, but it delays the game.'"

BONDS AND CERTIFICATES.

"THE OLD POLITICIAN" GETS A CLEW AS TO WHO GOT THE $50,000 INTEREST.

The Difference Between Market Prices and What the U. S. Bonds Were Sold For.

Figures Which Show Where the Interest Went—Real Premium and the Apparent One—Loss to the State.

[From the St. Louis Globe-Democrat.]

JEFFERSON CITY, MO., November 23.—"When I was in Paris last summer," said the Old Politician, "I noticed a lot of fellows drinking green and yellow chartreuse. A few of them took it yellow and a few of them took it green, and now and then you would run across a fellow who drank it in both colors. It is a tradition of the boulevards there that a man's mental temperament takes on the color of the chartreuse that he drinks. If it's green, he's green. If it's yellow, so's he. This interested me so much that I asked a garcon in a cafe if a man would be yellow and green, too, if he took both. 'Ooee, muncher,' said he, which means, in United States, 'yes, sir.'

"Well, sir, I've found a man who drinks both colors. He's on the Republic, and he's all the time saying that I am an anonymous contributor. Now, I'm no more of an anonymous contributor than any other impersonal contributor to a newspaper, and the editor of the Globe-Democrat knows that along with the first of my letters went the assurance that if any question arose, I asked no exemptions and did not seek to conceal my identity, or propose to allow any

man to shield me from my just responsibilities. So much for the yellow tinge in the Republic, which I perhaps have no right to allude to here, seeing it is personal to myself. But the color of the green chartreuse is a matter of public interest, and in my opinion green is the predominating tinge, although the yellow comes out strong.

"When you're fishing for big fish it's mighty little consolation to you to get a long string of minnows. As I was saying last week, I put out some calculations on the premium paid for them government bonds sold in 1875, in which there were palpable errors in computation. I was after ex-Treasurer Salmon, but, although he came back at me, he only smelt at the bait on that hook and didn't bite. But the Democratic press of Missouri, from the Republic down, raised a howl, just like they all raised when they said that Stephens' store, which I had located 'on the other side of the river,' was not on the river at all. They've been after me, and are after me yet, like Jim Cockrell's pack of hounds were after the fox up in Lafayette county. They tell it up there that that pack of hounds went nearly all over half of the county one day. People who were going along the roads could hear them off in the fields, and every now and then the whole pack, followed by Jim and 'Lias Marmaduke, would break across the road. Along about dark, they came into Lexington, and they hadn't seen the fox since morning. Somebody poked fun at Jim about it, but he only said, 'My dogs are trained to trail foxes that run crooked and double on their tracks, but this one runs straight ahead.'

WIDE-MOUTHED SUCKERS.

"As I was saying, I caught a long string of minnows. They're all suckers, but the Republic is the

only wide-mouthed sucker on the line, and if you're ever fished much you know that the wide-mouthed sucker takes more of the hook than any other kind. That's what the Republic's done. I said that the bonds went at less than 12 per cent premium, and they did, if the semi-annual interest of $50,148, then due, went along with them, and that's just what I wanted to get some of them to admit. I wanted to land Maj. Salmon on that, but he ain't a wide-mouthed sucker, and I didn't catch him, although he nibbled strong at my bait. But the Republic takes it all in beautifully. It says: 'Missourians will have to study a new arithmetic before they believe that $242,266, the premium actually received, or the difference between $1,913,866 and $1,671,600 is less than 12 per cent of the principal, or $1,671,600. According to the rules generally accepted in banks and other counting rooms, $242,266 is 14.49 per cent of $1,671,600.'

"Sure. But is it 14.49 per cent of $1,721,748, which is what the principal of the bonds becomes when you add the $50,148 in interest which was due on the bonds at the time they were transferred to Kohn & Co., of New York? Now, keep your eye on the rat hole, for he's going to come out in a minute. The question I have raised as to what became of that interest, and who got it, has been troubling them mightily, and well it may, for, if they can't account for that interest, they stand discredited before the state as a party utterly unworthy of trust and entirely unfitted for any responsibility. They are hearing from this in every section of Missouri, because it's a practical, common-sense, everyday question, that all men can understand, and it's got to be answered. They're trying to answer it, and in making the attempt the Republic has swallowed hook, line, bob and sinker back of the bait that Maj. Salmon only

smelt at. Hold in mind that the Republic, in the words I have just quoted, admits that the principal of the bonds was $1,671,600. That's right, and that's what it said Monday, November 18.

TAIL GOES WITH HIDE.

Friday, November 22, it said: "The anonymous Old Politician, who is vouched for by the Globe-Democrat, simply falsified the records when he stated that the interest due on the United States bonds at the time of their sale was not accounted for to the state. The books show not only that the interest was accounted for, but that the state in fact realized a premium on the interest." If a premium was paid on the interest, then the interest was not transferred to the state from the government, as it should have been, for the government never pays a premium on the interest it pays out on its bonds. If a premium was received, then that is evidence that the interest went along with the bonds to Kohn & Co., of New York. It was a mighty long tail to go with the hide, but the Republic says it did go. Well, then, just add up that $50,148 interest to the $1,671,600 which the Republic says was the principal of the bonds, and what have you got?—$1,721,748. Now the Republic said that $1,913,866 was the price paid by Kohn & Co. to the state, and that's what the auditor says, too, in his official report for 1885-1886. What's the difference between $1,721,748 and $1,913,866?—$192,118. That's right. And what per cent is that of the $1,721,748 Kohn & Co. ought to have paid for the bonds and the coupons at par? Is it 14½ per cent? Not by a long shot. Is it less than 12 per cent? Yes. Is it less than 11? Yes. Less than 10? Just a fraction less—9.9 would hit it off about right.

There you are. The Republic says we sold our government bonds, and the interest accrued upon

them at the time of sale, at 9.9. That's a good deal lower than I put it. And it's a darned sight lower than government bonds were being sold for at that time. Now consult the reports of E. B. Elliott, prepared for the United States treasury, setting out the average premiums on government bonds from the time of the suspension of specie payments until their resumption in 1879. These reports cover the average values of gold in paper currency in the New York market and, of course, the average premium on all kinds of government securities redeemable in gold, as our bonds were. What was the average premium on all classes of United States bonds then, in December, 1875? Elliott says it was 13.9—2 per cent above the price at which Kohn & Co. had cleaned us out of our bonds and our interest account, then due. Say, it's strange we should fall so far below the average level of the market, particularly when we were throwing in $50,000 of interest, which you will hardly ever find done once in a century, when the interest is already or nearly accrued, and the price paid on the principal is less than the market price. And don't forget that when Kohn & Co. drew that $50,000 of interest from the government treasury they made $7000 more clear profit on the deal, by turning the gold the treasury had paid them into greenbacks, even if they only got in at the bottom of the market that month.

AWAY BELOW THE MARKET.

So far I have only given you the averages on all kinds of government bonds at that time. The Republic has proved me to have been right in my assertion that our securities went at less than 112, if the tail went with the hide. I am sorry I can't return the compliment and show that the Republic is right in any of its calculations, but I follow the

records, and I don't drink chartreuse, green or yellow. And now I'm going to follow the records some more. I have shown that, if the Republic tells the truth, our bonds went away below the level of the market for all classes of bonds. But they were 6 per cent 5-20 bonds, remember, and to find out just exactly how far the Republic says we were below the market price for that class of securities we will look up the bank reports on that special issue. The bank reports set out the highest and lowest prices paid for any class of securities for a long series of years. I will take the report of the Maverick National bank, of Boston, because that bank has always been one of the largest dealers in government securities, and because its reports as to prices, and also as to opportunities for investment, are credited everywhere. And what do I find there? Why, that the lowest New York market price for all of the 5-20 bonds that was touched during the year of 1875 was 118. Our bonds, you see, according to the story told by the superintendent of education at the time they were sold, were not sold in New York, but in Jefferson City, but I'll be hanged if I can see why they ought to go any cheaper here than anywhere else, or why we should be nearly 10 per cent below the New York market for something that is just as valuable in one of the United States as it is in another.

Now, you see that, if the Republic is telling the truth, we were worse skinned than I said at first. I didn't want to be too hard on them, but the Republic puts them in the hole and nails them to the cross. Having admitted that Kohn & Co. got the interest, it had done the worst it could do, and ought to have stopped, but both the green and yellow were at work that day, it seems, and after the green had made the damaging admissions, the yellow stepped in and fabricated stories as to their official confirmation. There's

no doubt that the Wall street house got the interest, as well as the bonds. The Republic says the interest was included in the amount they paid the state, and it adds that the auditor's report will show it. Where? Quote your volume and page, as I am going to do now. In the auditor's report for 1885-1886, where this sale of bonds is gone into extensively, as a part of an exhaustive statement of state finances, the like of which we have never had since, there is nothing said, in that part of the report dealing with the school fund, about the interest being paid to the state. The auditor there figures out the premium paid on the principal of the bonds, and makes it out to be 14½ per cent, because he does not include the interest on the deal. If the Republic means that the interest was paid to the state out of the United States treasury, why does it not say so? It is trying to run another Bourbon bunko game on the people of this state, but I shall make it my business to look up the matter as it stands in the books of the treasury at Washington, where neither moth nor rust doth corrupt, and where experts never break through and deal. Whether it is the green or the yellow that is getting the upper hand in the Republic, in what it has to say about me to-day, I don't know. I guess it's a little of both, particularly in the evasion it attempts as to when and where this interest was paid. "The books do show," says the Republic, "the amount of interest collected on these bonds, sold by the agent of the state board of education. The exact interest collected up to date of the transfer, in the latter part of November, 1875, was $40,898, which was properly placed to the credit of the state's school moneys for the education of the children."

FRAUD AND DECEPTION.

"Now, look here; you can see how far fraud and deception have been carried by these people in the

government of Missouri when they put out a claim like that. The interest was paid on these bonds twice a year, once in June and once in December. The bonds were transferred December 24. If they were transferred in November, how in the devil did they get the government to pay an interest ahead of date? I don't think they did. Do you? Not on your life, my boy, and the Republic knows it, for just mark what it says about the interest: 'The exact interest collected up to the date of the transfer in the latter part of November, 1875, was $40,898.' 'Up to the date of the transfer,' mind you. How much was collected on the date of the transfer? That's what we want to know. Of course, more than $40,000 had been collected as interest on the bonds 'up to the date of the transfer.' Fifty thousand dollars had been collected just the June before, but how much was collected on the day the bonds passed? That's the point, and you bet your life the people see it, for they're catching on to the fact that this is the only state where an endowment of government bonds in a school fund was ever sold out, lock, stock and barrel, principal and interest, hide and tail, and the money that had been coming into the state from the outside as so much clear gain afterwards taken out of the people in taxes. And, by the way, that reminds me of a fellow in the Republic who says he has fired a 13-inch shell at me in that paper. I don't very well see how a 13-inch shell can be fired out of that gun, but as long as he thinks it's as big as that I won't argue the point. What he says is that it is better for the people of this state to have taxed themselves for twenty-six years to raise less than half a million dollars more than they could have got out of the government for nothing in the same time. That's his 13-inch shell, and I still think that as little as half a million dollars gained for the school fund in twenty-

six years by trading credit for debt, and taxing yourself to pay the debt, don't pay the people who have the debt to pay. They can't even show me that the school fund was benefited by throwing away from $75,000 to $100,000 a year and then going to work to tax ourselves to get it back. And when you can't show that the schools are benefited by it the bottom drops out of the whole thing, and I think I've shown that in showing that taxing ourselves for twenty-six years to raise the money that we used to get for nothing don't pay a little bit when the school fund gets an increase of only $412,000 in all that time. The game ain't worth the candle, and it's because the people are dead onto that fact and are noticing that the men who managed the state's finances in that way are not managing their own on the same plan that this here school fund question is a hot one, and is going to keep on being hot, and is going to get hotter and hotter until it will be as hot as the fire at the barbecue that was run by Capt Lamothe down in St. Charles county. The captain had a fine pecan grove on his place and it was a splendid place for barbecues, and the captain used to give one once in awhile, particularly when he was interested in the success of any local candidate for office. On one occasion, when John McDearmon was up and the captain was supporting him, there was a barbecue there and the captain was superintending the arrangements. 'Isn't the fire hot enough yet, captain?' some of them asked, who could feel the heat coming up through the top layer of charcoal like a breath of Gehenna.

"It's hot enough for beef," said the captain," "but it will take ten degrees more for a hog."

What I mean is that we're going to have hog heat in this school fund fight before we're through with

it, no matter how the people with their noses and all their four feet in the trough squeal and grunt about it.

THE SCHOOL CERTIFICATES.

I've been looking a little over this here expert report that they've got out in a salmon-covered back and called "Missouri Finances." I haven't gone deep into it yet, but I expect to, when I get time. But I'd like to ask Allen a question, and I'm only asking for information because I don't pretend to be an expert, and what I work out of "Missouri Finances" is worked out by the same kind of sense that helps a man to make a living and a little more; the same kind of sense you find all over Missouri. My question is: Why do you allow the experts to put on the credit side that $900,000 certificate of indebtedness, which was issued in 1872 to cover the money due the school fund out of the proceeds of the sale of stock of the Bank of Missouri in the list of redemptions in the period between 1873 and 1900? Is it redeemed? Why, of course not. We all know that. It is drawing interest to-day right along, and will for ten years to come, even if the constitution isn't amended, but if we do amend the constitution, we will have it with us till the day of judgment. Now, they have put it down as being wiped out, when it hasn't been wiped out any more than I have. And it hasn't even been refunded. I could understand, if there had been a refunding and the old certificate had been taken up with a new one, why it might go into the debt statement as being retired or redeemed, if the same amount of indebtedness, at the lower rate, was carried in the new issues of bonds for that period. But nothing of the kind has happened. All that has ever been done to it was to consolidate it with other certificates,

and that gives it no call to be counted for nearly a million dollars in the cancellation of state debt, when it couldn't cancel anything, and hasn't as much intrinsic value as a copper cent of Boer money in London. This looks to me like another discrepancy, and a rather serious one, but I'm only asking for information now.

While I'm waiting I have a few remarks to offer about them certificates, and which I can offer without asking any questions of Allen or anybody else. For it's always been a peculiarity of mine to know a thing when I know it, and I'm dead onto this. The question about these certificates, as I have said before, is not one of 1872 or of 1881. It is one of 1883, for it was then that the mischief was done. I have quoted the statute of 1883 before now, but it is bound to become a vital point in the controversy, and a great deal will be found to hinge on it. The certificate of 1872 was issued to meet a deficit. That of 1881 was issued to take the place of the original one and nearly $2,000,000 in state bonds, canceled and retired. But when they got along to 1883 they began to see what a big thing there was in the exercise of this great power over the school fund, if it was carried farther in removing funds out of the school fund into the sinking fund, on the presumption that all such money was to go out of the sinking fund in the liquidation of the bonded debt of the state. There were hundreds of thousands of dollars in it, and maybe millions in the course of time. Now let 'em howl about defamation and slander. I say that as long as a poor girl who is guilty of an indiscreet or unthoughted act, without wrong intention, must suffer in reputation for it it, men of responsible age, and who claim to be men of sense, can't go on doing unexplainable things and insist that

they shall not fall under suspicion. "The king can do no wrong" is played out, especially when it is cried by the Republic, which the other day put it in the picture of a little boy and told the story of his disgrace, because he had taken some money of his employer, who did not prosecute, and thus make a record in court upon which to base and excuse the report. Say, I will go up to the help of the Lord against the mighty, and papers that do these things to little children can't talk to me about slander.

WHERE THE WOLF CROSSED.

Where was I at? Oh, the act of 1883! Read it. I call it a most remarkable statute in the tremendous grant of power it confers. It was entitled: "An act to provide for the permanent investment of any moneys remaining in the state treasury and belonging to either the public school fund or the seminary fund." The vital clause comes in when it provides that when any moneys come into the state treasury, "from whatever source derived," whether from grant, gift, devise, "or any other source," to be credited to either the school or seminary fund, the same should be taken from the school fund and put into the sinking fund, a certificate of indebtedness, in an equal amount, and to bear 5 per cent interest, to be issued to the school or seminary fund in exchange. Isn't it a nice system? "From whatever source derived" and "any other source" are broad grants of power, particularly when, under the terms of the act there is nothing but an implied pledge that the money is to go toward debt redemption. It was stipulated in the act of 1881 that the bonds replaced by the certificates should be canceled in the presence of the fund commissioners. In this act of two years later it was assumed, by that

class of legislators who always assume everything, that the money taken into the sinking fund out of the educational funds would be used immediately in the reduction of the debts. Let's see how that worked. I said last year that there was where the wolf crossed, and I've seen nothing since to make me change my mind. The very next year after they got that power they commenced to take money out of the revenue fund and put it in the school fund, and from there switch it off into the sinking fund, where it at once commenced sinking and kept it up a long time. Look on page 258 of the auditor's report, 1885-1886, and you will see where $200,000 of the money in the revenue fund was moved into the school fund, and from there into the sinking fund, and on the next page you will find how the fund commissioners issued a certificate of indebtedness for it.

Now follow it after that. Turn to the reports of the state debt, page 234. The auditor says that $2,626,000 of Missouri bonds were canceled in 1885-86, and of this money $1,350,000 was the proceeds of the sale of refunding bonds. Where did the rest come from? Was any of it that $200,000 put into the sinking fund, through the school fund, in 1884? Nary a penny, according to the reports. The auditor says, in two different places, that the money came out of the state interest fund and the state revenue fund. On page 5 he says: "From receipts into the state interest fund the interest on the public debt has been promptly paid, and the sum of $1,134,282.81 transferred to the state sinking fund and used in the redemption of bonds of the state." And on page 233 he says: "Surplus money in the state revenue and state interest funds and the proceeds derived from the sales of the funding bonds enabled the fund commissioners, in 1885, and 1886, to purchase and re-

deem the following ($2,626,000) 6 per cent bonds." Now figure it for yourself and see where that $200,000 comes in that had been taken out of the revenue in 1884. It didn't come in anywhere, according to the reports. Half of the money came out of the sale of refunding bonds, and the other half from funds taken out of the revenue and interest funds. Where was that money? Was it loaned out, and somebody getting the interest on it?

HOLE IN THE SCHOOL FUND.

There's where the wolf crossed, sir. It's the hole in that school fund that took two months in the effort to cover up, and it's like a blood stain after a murder. You can't wipe it out. Allen works all around it, but he leaves it there at last, in the admission that there have not been cancellations of bonds against the certificates since 1883. He tries to qualify this by saying that the fund commissioners have kept a general balancing in view, but that don't answer my question of who had that money, and was getting the use of that money for more than three years. How much longer I am not yet prepared to say, but I will be soon.

Now, no doubt, they will cry out with a loud voice that I am anonymous. But my figures are not. I have given you pages and numbers as I went along. I am making no innuendoes, but charges such as lawyers make, and judges make in a court when there is a strong circumstantial chain of evidence against a man who has been unable to prove an alibi. What they do in the courts I can do in the newspapers. The evidence is the thing, and not the witness, as long as the witness is unimpeached, and as the main witness I am putting on the stand is a Democratic auditor, if they want to try to impeach him they can

do it. But I think I can impeach Dockery first. In his experted address to the people, he said that the auditor did not keep all of the accounts with the bank acting as the fiscal agent of the state. The experts say the same thing, and admit that there is nothing in the auditor's books giving a single figure of that bond deal with Kohn & Co. that I have been writing about, in which the state was skinned like a boiled potato with the jacket on. But Dockery finds that, on the auditor's books, there are figures showing that more than a million and a half of dollars are put down in the books as having been sent to the fiscal agent bank, which the books of the bank do not show was received. This, of course, was in Republican times, Dockery says. Well, then, it seems that the Republicans did keep all of their financial accounts in the auditor's books, and even put down the figures that would give them dead away. Say, governor, them experts ought to put you through another rehearsal. You are forgetting your lines. They never told you to say the like of that, did they? It proves to me, beyond the shadow of a doubt, that there is no such entry on the books as that you talk of. Stick to it that there has never been, at any time, an account kept on the books with the fiscal agent. People may believe it, although they will wonder at it greatly. But when, for the purpose of making a case against the Republicans, you say they did keep such accounts, and we dropped them, the best you are giving us is the worst of it. And folks will toss up to settle which were the biggest fools—the Republicans who wrote themselves down thieves in their own books, and handed these books over to the Democrats, or the Democrats who took the books in that shape, and didn't find out how they had been "worked" by the Republicans, to whom they give a clear receipt, for thirty years after.

THE BOND DEALS.

"THE OLD POLITICIAN" GOES INTO THE FACTS AND FIGURES OF BOTH OF THEM.

The Revelations Growing Out of Ex-Treasurer Salmon's Denial of His Responsibility.

Bare Hooks to Which Suckers Will Rise on Sight—Beginning of the Deal with Wall Street.

[From the St. Louis Globe-Democrat.]

JEFFERSON CITY, MO., November 16.—"There's more ways than one," said the Old Politician, "of skinning a cat. I told them two or three weeks ago that they could put me on my uppers at the beginning of a hard winter if they could produce the official report they have said was made by Jim McGinnis, to the effect that the Republicans had robbed the state of $20,000,000 in railroad deals. I challenged them to show it, and offered odds they couldn't do it. I haven't heard of any of their newspapers, or any of their leaders, taking me up, and not one of them has disputed the statement I made as to just what it was McGinnis said and how he came to say it. There has been a silence all along the line so deep you could cut it with a knife.

"Now, I haven't lived a long time in this world for nothing, and the next week after that I worked in a story, to illustrate a point, in which I said that Stephen's store, in Callaway county, is 'on the other side of the river' from this place. Lordy, lordy, how they come a-runnin'! The Rev. Dr. Burnham, of Ful-

ton, the Fulton Sun, the St. Louis Republic, and divers and sundry other country papers, in all sections of the state, join in the chorus that Stephen's store isn't on the river at all. Well, who said it was? They're after me on that point so strong that they think they can put the people to sleep about what it was that Jim McGinnis said. But as I was the boy who wanted to know, when the fire that was started to smoke a rat out of his hole had burned up everything on the place, what had become of the rat, I hang onto that point like a bull pup to a bone, and insist on knowing what it was that Jim McGinnis said, and I'll double the odds to all takers that they can't prove up what they said he said. This bet is open for a few weeks longer, and if somebody don't cover it I'll tell what it was that Jim McGinnis said, myself.

"DIGNIFIED SILENCE."

"And as I was saying, there's more ways than one of skinning a cat. When pompous asses or pharisaical knaves pretend that they maintain a dignified silence toward facts and figures that they can no more answer than they could go to hell in a hand basket, leave them a little opening on some utterly immaterial point, and see how soon that dignified silence will come to a sudden stop. It comes to a sudden stop exactly like Rufe Hybarger's broncho did. I used to own a cattle ranch in the Panhandle, and Rufe was one of my cowboys. He came from Illinois, and was a good horseman, but the broncho was a new proposition to him. He wasn't well acquainted with him, and had too much confidence in his own toes, if he once got them in the stirrup. He came down there with his broncho campaign already mapped out, and it was a very simple one, too. He would dig his right spur into the brute as he swung

himself on, which would start the thing to goin' before he got in the saddle, for he had heard that the buckin' always comes after a man gets in his seat and before he can get the beast to get a move on himself. The idea is, or was, that it's the gettin' in the saddle that makes the trouble, and that if the varmint can be started off a second before that happens, he'll keep a goin'. I'd seen it tried before, but I kep' still, because I wanted to see Rufe try it, because I'd heard he was a man who wouldn't believe a mule would kick unless he was kicked by one, and I knew that nothing I could tell him would do any good. Well, he tried it, and the thing started off according to the programme. That broncho got a move on him, and when Rufe got a firm seat the beast was goin' at a rapid gait. Maybe he went half a mile, but he stopped all of a sudden like, and tried to put all his hoofs in the circumference of a silver half dollar. I think he done it, and so does Rufe. We picked Rufe up with his mouth full of sand and blood, and when he come to, the first thing he said was: 'My dignity's gone, but I might stand that if I hadn't lost nearly all of my teeth.'

"That's what's become of dignified silence around here. It's not only their dignity that's gone, but their teeth, too, for the people won't go much on dignity that keeps silence in the face of the most serious charges they are challenged to disprove, and then rushes out with a foaming mouth and a bloodshot eye to claim errors in local geography which were never made. Say, they give themselves dead away, and they'll do it every time, just like a sucker will rise to a bare hook as often as you throw it at him. The sucker is hard up for something to chew, and so are they. There's not only more ways than one of skinning a cat, but there's more ways than two. Last

week I offered a hundred dollars a name, for every name that Dockery, or Allen, or Salmon, or any of them could give me of members of the legislature who voted to sell the government bonds, because I said, the government bonds were sold without consulting the legislature at all. Just think of that! Focus your intellect on that proposition for a minute. An asset of the state worth nearly $2,000,000, sold out by a little crowd of men without ever calling the direct representatives of the people in to ask their opinion about it. That's why I offered a hundred dollars a name for every member of the legislature who voted for the bond sale. Put your ear to the ground and see if you can hear 'em comin'. But don't keep your ear there until you hear 'em, for a hard winter's comin' and you'd get it frost bit. I'll tell you when to keep your ear to the ground till you hear 'em comin' after me, and it'll be the week after I put it out cold that Lawson is in Ray county. They'll send it out to the Republic and the rest of their country press, that Lawson's right on the edge of Ray, Caldwell and Clinton. That's the time to hold your ear against the ground till you hear 'em comin'. They're sure to come.

THE BOND DETAILS.

"Some of 'em are comin' already. Ex-Treasurer Salmon is out in a card, for distribution in the country press, in which he accuses me of doing him an injustice in the charge that he negotiated the sale of the bonds. Here's what I said: 'The men who first proposed that bond sale never told us the amount of premium secured on the bonds in any statement they made during the discussion of this question last year.' I guess the reason Maj. Salmon takes it as personal to himself is that he wrote a communication to the

Republic, in the discussion last year, in which he claimed the credit for originating the proposition, while he was in the office of state treasurer. That's what started me off on the thing, and I am glad to see the major is now disavowing the responsibility he was so ready to assume last year. But to get back to the point, what he is trying to do, and what his party press is trying to help him do, is to convict me of error and injustice when I am guilty of neither. They have risen to the hook this week as readily as they did last, and if I throw out another one next week they'll rise again.

"But the major is a shrewd old fish, and doesn't swallow hook, bob and sinker. He nibbles around. Why doesn't he point out the errors of calculation in the computations of premiums on the sale of them bonds? There's discrepancies for you, but so plain that anybody can see they are intentional; I mean anybody of the sense and shrewdness of Maj. Salmon. Some of the little fish of the press are deep in the figures over it, and you can hear them screeching, 'Falsus in uno, falsus in omnibus.' All right! But I would like to have got the major on that hook. Perhaps he remembered that when I traversed this same subject last year the discrepancies didn't occur. That's a fact, because I used, along with them, some other figures I haven't used yet this time, but which I'm going to use now.

"But, first and foremost, to go back to the rat. I was on a jury once, when we tried a man for murder. An old woman and a little girl had been murdered in a lonely farmhouse, and some money in the house was gone. Suspicion fell on the old woman's son, because he had fallen out with his mother on account of his wife, and because he was the only heir. But he hired a lawyer, who discovered that the day before

the murder a cousin of the old lady who lived in Ohio had called on her, on a visit, and had been seen going down the road by a number of men who lived in the neighborhood.

A CLEAR "ALIBI."

"When the murder was discovered, the second day after it happened, the cousin had disappeared, but when the lawyer heard of him he went back to Ohio and located him, working on a railroad. He was arrested and brought to Missouri on a requisition, insisting that he had never been in the neighborhood before. Some of the best men in the county identified him as the man they had seen going down the road, but he brought out a whole raft of people from Ohio, including the engineer, the conductor and the other brakemen of the train he worked on, who all swore that he was on the road the night the murder was committed. It was the clearest alibi I ever heard, and as long as the witnesses were unimpeached I felt it justice to give their evidence its full weight. And so did nearly all of the other eleven, for the first ballot showed ten for acquittal and two for conviction, and one of them come over in an hour. The other was a bullet-headed fellow, who kept on sayin' all of the time: 'Where's the fireman at? Why didn't he come?" We humored him for awhile, but when we began to get hungry and found out there wasn't a pack of cards in the whole crowd of us, we began to get riled. We reported late the next day that we couldn't agree, but the judge held us in and said the case was so plain that we couldn't help agreeing. It seems he had heard that there was only one man standing out, and he offered a few remarks about stubbornness on a jury, but the bullet-headed fellow ups and says, 'Where's the fireman at?" and the

bailiff ordered us out. But when we got back to the jury room, you can bet that fellow had a picnic on a rainy day. He wouldn't give an inch, but kept on sayin' 'Where's the fireman at?' till after dark, and then I got him by the throat and bumped his head back against the wall. 'Darn you,' said I, 'the fireman's gettin' his three square meals a day while you're keepin' us here, and he's gittin' his drinks reg'lar while you're a-holdin' us in here as dry as mackerel. If you don't give up I'll shut your wind off.' And, sure enough, his tongue did begin to loll out and I had to ease up on him, and what do you think? As soon as he got his first wind he gasped. 'Where's the fireman at?' Well, sir, the next day the judge had to let us go, disagreed. At the next term of court the state had the fireman, and he swore that the prisoner was not on the train the night of the murder. The engineer and the rest of them who swore that he was failed to show up and couldn't be found. He was convicted and would have been hanged if the jail hadn't took fire and burnt him so bad that he died ten minutes after making a confession that he did the deed.

WHO GOT THE INTEREST?

"Ever since that I've liked the man who will stand by an idea he gets in his head all the way through thick and thin. And now I don't care who can prove an alibi or who can't, I've got an idea in my head, and I've got a question to ask, and here it is: Who got the interest? Them bonds were sold in December, 1875. At that same time $50,148 in interest was due on them. Who got it? That fact is not brought out in the expert report, any more than the fact of where the fireman was 'at' was brought out in the evidence. The state didn't get it. That's as plain as

daylight. Even Shannon, who has been foolish enough to say that he ran the deal that sold these bonds, doesn't claim that the state got that interest. Of course, then, it went to the Wall street firm of Kohn, Popper & Co., and now let's see whether they are entitled to it or not.

"In order to cut off a slice like that the Wall street firm of Kohn, Popper & Co. ought to have paid more than the market premium, oughtn't they? Well, I guess yes. I figure that, with such a tail to go with the hide as that, they might at least have paid the lowest open market premium on 6 per cent bonds which was being paid in December, 1875. Don't you? The lowest premium paid on 6 per cent 5-20 bonds at that time was 18 per cent. The highest was more than 25 per cent. I take my figures from the treasury books; 125$\frac{7}{8}$ is the exact fraction that records the high-water mark of that class of bonds then; 118 is the round figure that represents the low-water mark. Don't blame me, gentlemen, if these figures don't suit you, or carry out the sleight-of-hand devices with which you are attempting to deceive the people. I am not a contortionist, a juggler nor an expert. I go by the books, and it's the books I'm giving you now, and you know it, for they're as open to you as they are to me. And what I'm betting is that you are going to answer these figures with dignified silence, unless there should be a typographical error which will stand some of the figures on their heads.

"Who got the interest? Do the books show it? Not on your life. I guess this is one of them financial accounts, which the governor says the books don't show. The fact is I know this is one of them, for the experts, in their report, say that there is no trace, anywhere in the books, of any of these transactions with the Wall street house of Kohn, Popper & Co.

Here is the language of the expert report. Speaking of a little balance that didn't balance in some accounts with Kohn, Popper & Co., the experts say: 'Sales of United States bonds and purchases of Missouri State bonds were made through this firm. There is no formal account on the general books showing the transactions had with the firm.'

"TOUCH" THE "OLD POLITICIAN."

"Now, gentlemen, I've got you. Your assertions are no better than mine, and not nearly as good, because I am proving mine, as I go along, out of the books of the United States treasury. If you could bring the books of the treasury of Missouri against them, I would admit the raising of an issue, but your own experts prove all that I have said, last year and this, that Kohn & Co., handled both classes of bonds in the conversion, and that there was nothing in the books of Missouri to show how much they made out of it, or how much anybody else made out of it. Say, if they're going to make a private touch to raise the money to pay the experts, they oughtn't to overlook me, for begod, I am getting more vindication out of their work than anybody else I know of. And what I want to know is, who got that interest. Kohn & Co., paid 3½ per cent less for them bonds than they would have brought in the open market, and took along, in addition to their face, $50,148 in accrued interest. Why, say, I wonder how we ever got so stuck on ourselves that we got to saying that we are from Missouri and they'll have to show us, when for thirty years after this was done we have kept in power the party that done it. I've helped to do it, and am privileged to cuss, on that account. All of us have got what Lacey got, because we have been the same kind of fools that Lacey was. Lacey

was a tenderfoot in a mining town, with more money than sense. The whole camp caught onto Lacey, and there was always a crowd when he was playing poker, which was nearly all the time. Every time Lacey lost $250 the bar set up the drinks to the house, and Lacey got his drinks along with the rest. That's what he got out of the game.

"There's only one man who has ever given it out flat that he sold them bonds, and he says he hated to do it mighty bad. It was on the 4th of November, of last year, in answer to one of my statistical analyses of the bond situation, that in a communication to the Republic, R. D. Shannon, who was the state superintendent of education at that time, owned up that he was the man, and he did it in a way that convinced me that while he was, perhaps, the man who made the last deal in the game, the cards were stacked by somebody else. 'I employed,' said Shannon, 'as a go-between, or agent, Mr. D. Stone. The larger his purchase of bonds (state bonds) the larger his commission.' Shannon tells us that he was anxious to get these bonds from Kohn & Co., who had been let in on the ground floor of the fund commissioners, who were conducting the sale of state bonds. They had run a corner on the new issue of state bonds, although Maj. Salmon had warned the fund commissioners that the government bonds held by the state were liable to be called in at any time. Shannon is sure the matter had not been thought of until after Kohn & Co., had run their corner; and then, he says, he noticed that the bonds held in the school fund had been called in by the secretary of the treasury. He at once began trying to get some of the bonds which had been sold to Kohn, & Co., and employed Stone as a confidential agent, in order to not let the New Yorkers know how bad the state needed

the bonds it had just sold to them. But they appear to have found it out, for they kept on putting up their price all the time, until at last they got above par. They had bought the bonds, only a few days before, according to page 242 of the auditor's report for 1885, at 2 per cent below par. When they got above Shannon seems to think that the sooner he closed the deal the better, and be bought 1250 bonds of them, paying them about $190,000 more than they had got the bonds for. Now, Salmon says that the change was made for the purpose of helping the state's credit in the purchase of her own bonds, but it seems, according to Shannon, that Kohn & Co. had more faith in our credit when the bonds were put on sale than we had, although they didn't have enough, at that time, to pay par. But their faith in our credit took a big jump in a few days, when they discovered in spite of all Shannon's desperate efforts at concealment, that the state wanted to buy them back, for they advanced 33 points in one night.

FAMILY AFFAIRS.

"Now, nobody would call this a good trade. The man who would make a horse trade like that would never do for the Mullanphy market, but it seemed to tickle the fund commissioners immensely. They insisted that Shannon should go to New York and sell the government bonds. 'I protested,' says Shannon, 'against the order of the board, and pleaded that I should be relieved of further responsibility.' But the fund commissioners were lost in admiration of Shannon's great financial feat, and he was getting ready to go, when Ed. Popper, a member of the firm of Kohn & Co., turned up here and told Shannon he understood that he had some government bonds to sell. Poor Shannon! All his plans for secrecy seemed

to fail. He asked Popper to make a bid. Popper made it, afterward raised it $10,000, and the thing was done. Nothing said about premiums in the open market; nothing said about who would get the interest due in six weeks; nothing but a lump sum named and taken, the bonds to be delivered in December to Kohn & Co., when the state bonds were to be delivered from Kohn & Co. to Missouri. Nice little family arrangement, wasn't it? But before you drop it, figure out who was ahead on the deal. What we lost was the difference in price of the state bonds from what we could have bought them at ($988 per bond), and what we paid when we bought 1250 bonds of Kohn & Co. at a ⅜ per cent premium. Put that down at $100,000. Another loss was between the 14½ per cent premium Kohn & Co. paid us for the government bonds, and the lowest market premium paid that month, 118. Put that down at $58,000. Then there's the interest due the month the bonds were sold, $50,148. Add all that up and you'll find our loss to be $298,000. After you find our loss you know Kohn & Co.'s profit, for all that we lost they gained.

"And there's not a scratch of a pen in the books of Missouri to tell of the ins and outs of our dealings with this house. No wonder. I have dug it out of the United States treasury books, and the reports of bond sales, and the fluctuations of the New York stock exchange in the premium list. But there are some points I can't make clear. Shannon says the bonds were called in in the latter part of October or the early part of November, 1875. That date would carry them through December and give the state the benefit of the accrued interest of $50,000, even if the secretary allowed three months, and, under all of the refunding laws, he could not allow less. What I suspect is that there was a long time left. If there

wasn't, why would Kohn & Co. pay any premium at all? If the bonds were to be canceled at once, or lose their interest-earning power, why in the devil would as shrewd men as Kohn & Co. proved themselves to be, pay 14½ per cent more than par for them? Say, don't you know that if all the deal was straight I wouldn't have to be asking these questions now? Not on your life. All these matters, so essential to any intelligent understanding of the case, would have been laid before us without the asking. And that's a fact that makes me say that we haven't got to the bottom of it yet. I will keep on until I find what made Kohn & Co. pay more than par for bonds that were right at the point of redemption. Watch my smoke!

A LITTLE FIGURING.

"I want to call your attention to one item in the expert report. It's the one covering the interest on the certificates of indebtedness, $4,970,436.27. An awful big pile of money, but what I want to do is to figure the interest on that part of the sum that represents the bonds. At the time the bonds were sold to Kohn & Co. the government was selling and exchanging 5 per cent bonds to replace the issue of which our bonds were a part, and what we ought to have done, and what we would have done if there hadn't been a big job in it, would have been to sell the bonds and invest the proceeds in the purchase of these new 5s. We ought to have got over $2,000,000 on the basis of the market premium, but, taking it on the basis our bonds were actually sold at, we could have bought $1,913,866 of new 5 per cent bonds. Five per cent for one year on that sum is $95,693.30. We could have drawn that rate for six years and got from the government $574,159.80. From that time on,

by refunding, we could have got an interest of 4 per cent per annum, or $1,531,092.80 in the twenty years since 1881. What we would have got out of the government on them bonds since they were sold to Kohn & Co. for less than their market value is just $2,975,-282.60. We would have been getting that for nothing. Now, on the certificates of indebtedness for the same amount, at the annual interest rate of 5 per cent, we have paid out in the twenty-six years since the bonds were sold $2,488,025.80. The schools have got out of us in twenty-six years all that they would have got out of the government and $412,743.20 more. I don't see how anybody can figure a good speculation out of that. There is less than half a million dollars added to the school fund in nearly a generation by changing the form of a source of income from the general government to the taxpayers of the particular state. All this reminds me of Dave Kyle, who used to live up in Saline county. He had a mortgage on the farm adjoining his and was getting 7 per cent on it flat, but he wanted more and sold the mortgage and buried the proceeds in a hole in the ground and issued himself a note against it. When the interest was due he would go to the hole and get it out. They caught him at it at last and sent him to the Fulton asylum, and he is there yet for all that I know. The court said he was not capable of managing his affairs, but the last time I saw him Dave swore, as he bumped his head against the padded walls of his cell, that he was taking bigger interest out of the hole than he got out of the mortgaged farm.

CERTAINLY NOT FOOLS.

"And he's just like these fellows in another respect. He never made a record of his remarkable financial transactions in his books. His affairs were in a very

involved condition when they sent him down the road, but nobody accused him of dishonesty. What I expect, though, is that the fellows who got away with our bonds would rather be called knaves than fools, and what they particularly congratulate themselves upon is that the people have not yet declared them to be either. And the next step they took after selling the bonds, in the way of wiping out the school fund entirely, is a pretty good sign that they are not fools. You see, the constitution of Missouri is very strict in its powers granted for the raising of taxes. The largest rate it authorizes is the interest tax, and it puts a strict limitation on this after the bonded debt is extinguished. After the government bonds had been sold to the great advantage of somebody who got the rake-off, it suddenly dawned on them that such large purchases of state bonds for the school funds as had been made, particularly if they were to be continued, would, too, soon wipe out the bonded debt of Missouri, and stop the running of the interest tax. Now, don't forget it, that's right where the line crosses on this second deal. They had to retire the original batch of bonds, for which the first certificates were issued, in 1881, but what's that Allen says about bonds retired since then? No record of bond cancellation with the money taken out of the school fund, since then, does he say? Of course not. Getting rid of the debt, and stopping the interest tax has never been what they wanted. There's another rat hole there, but I haven't time to look into it now."

THE EXPERT WORK.

"THE OLD POLITICIAN" THINKS IT WAS DONE MANY YEARS AGO.

The Origin of All "Discrepancies" and "Mistakes" in Bookkeeping in Missouri.

One of the Strangest Financial Deals in the History of Any State Auditor and Fiscal Agent.

[From the St. Louis Globe-Democrat.]

JEFFERSON CITY, MO., November 9.—"I'm from Missouri and you'll have to show me," said the Old Politician, "what's become of the rat. I was the boy you've heard tell of who didn't lose sight of the main point in the case. A lawyer had an examination of a number of boys who wanted to go into his office and qualify for the profession. He didn't want but one, and so he put them all to a test. 'Once,' said he, 'there was a farmer who got after the rats in his corncrib, and built a fire to smoke them out of their holes. There was only one come out, and he made a dive for the rear end of the crib, with the dogs and the farmer and all the boys after him. He hid away under the corn, and while they were after getting him out of that the fire set fire to something else and the whole crib was ablaze before they knew it. There was a high wind blowing, and the barn and all the other cribs caught fire, and it wasn't long till the house was smoking, too. The barns were full of stock and feed, and the farmer had $4000 in cash and

notes buried under one corner of it. Before the fire got through pretty nearly everything was gone.'

"Then the lawyer waited for remarks. Some of them talked about the necessity of insurance, and some about the value of fire departments, and some wanted to know if the farmer saved the money he had in the hole. But one boy chirped up and said: 'What I want to know is what became of that rat?' 'You're the boy I want to study law,' said the lawyer, 'because you don't scatter, and can keep your mind on the beginnings of things.' You bet. And I've been that way ever since. And I was never more so than when I look through the auditor's experted figures and the governor's experted communications and official declarations on the funds. Say, where's the rat? There's lots of smoke, and you bet there's lot of fire to make it, and while they're trying to put out the fire that rat will get away if somebody don't go after him. So here goes.

WHERE THE RAT IS HID.

"I'll begin by showing you the cornpile he's hid under. Read what Dockery says and what Allen says about the origin and development of the school fund. It is governor this and that said so and so about converting the canceled government bonds into certificates of indebtedness. It is senator so and so who voted in 1881, and 1883, and 1885, to issue certificatetes in lieu of bonds, or in lieu of cash, transferred from the school fund to the sinking fund. In all of the legislation relating to the issuing of these certificates, both the governor and the auditor are very specific. They are so specific that they remind me of Sam Arnold the night he made his grand bluff in St. Joe. You see, he had been having a run of luck in the early part of the night, which he knew wouldn't

stay with him long, because it never did. The strength of his game was in the dead cold nerve with which he could run a bluff on a bobtail, or a pair of deuces, and one way he worked that along was by showing his hand, face up on the board, every time he was called and made a winning. In that way they got scared of him and didn't know when the bluff come in. In St. Joe that night, while his run of luck lasted, he had taken in several bets on great big hands, and always showed his hand down to prove it. When his luck turned, he lost for awhile, and then brought in the grandest bluff he ever run, on nothing higher than a pair of tens. There was already $2000 in the center when he raised it another thousand without batting an eyelid. He had made that win many a time before, and he was sure it would go again. But there was a man in the game that night he had never played with before. I guess it must have been the feller that grew up out of that boy that wanted to know where the rat was. Anyhow, he up and said: 'When a man is so kind that he shows his hand for nothing there's no use paying him for it. Take the money and show your hand.' 'I'll take the money,' said Sam, as he raked it in, 'but this is the place where I avail myself of the rule of the game, and throw my hand in the discard.'

"You see he didn't have the cards to show. When he had the cards he showed 'em up, and when he didn't have them he kept still about it. And that's just the trick Dockery and Allen are working on the school fund. They tell you the names of all the men in the executive and legislative branches of the government who have ever written or voted for the conversion of the state bonds into certificates. But that's not where the fire started. Go through Allen's report and you'll find a missing link in the chain of

governors and legislators who are in the line. That link is dropped out at the place where the sale of the government bonds, and the purchase of the state bonds in their place was engineered. This occurred, says the auditor, under the wise administration of Gov. Hardin, but neither he nor the governor quotes any official document of Gov. Hardin recommending any sale or conversion, and I will pay a hundred dollars a name for every name of a senator or representative you will find in either Dockery's or Allen's experted contributions as having voted for that sale and conversion. The reason is that that proposition was never submitted to the legislature. What do you think of that? That was the first time in the history of the Missouri school fund, since the state had such a fund, that anything of importance was done in connection with the management of that fund without consulting the law-making power. If they ever said anything to Gov. Hardin about it he must have refused to recommend it to the legislature in his official message, for it never got before that body, and more than a million and a half dollars in government bonds belonging to the state of Missouri were sold without consulting the representatives of the people. That's why you don't find the names of the Republicans in that legislature who voted to sell the government bonds. Why, if that proposition had ever got before the legislature it would have been beaten so awful bad that it would never have been heard of again, and they knew it.

THE RAT HOLE.

"That's the rat hole. There's where the fire started, and Dockery and Allen can't pump water enough to put it out. Allen says: "In December, 1875, under the wise administration of Gov. Charles

H. Hardin, the state board of education sold the $1,671,600 of United States bonds for $1,913,866, and with the proceeds of the sale, other receipts and the cash awaiting investment $1,949,000 of 6 per cent Missouri bonds were purchased for the fund at a cost of $1,958,846.40, including $2512.50 paid for brokers' commissions. The result was that the state school fund was increased more than $200,000 without costing the taxpayers a cent.'

"This is a rat hole that will bear looking into. There was $1,671,600 in government securities sold without the authority of the legislature for $1,913,866. They ought to have brought more than that. The premium in gold bonds in December, 1875, was 14 per cent. Look at the bond reports of the United States treasury if you don't believe me. Now it's an easy matter of figuring, in which we won't need any New York expert assistance, that 14 per cent on $1,871,600 ought to bring back, principal and premium, $2,340.-240, but it didn't fetch it. What did come back, according to all the auditors who have reported the matter since, was $1,913,866, or less than 12 per cent premium on the face of the bonds sold. It is right at this point that the cry of fire is raised, but keep your eye on the rat hole. If you don't you may make as big a fool of yourself as the auditor did in 1885, who reported that the $1,913,866 the face and premium of the bonds brought together was 14½ per cent premium on the $1,671,600 the bonds were worth at par. Look on page 255 of the auditor's report for 1885, and you will find that statement made. Now figure it for yourself, and it won't take you five minutes to see that that rate of premium ought to have given the state $2,420,398. I wonder if that was one of the mistakes in the bookkeeping we hear so much about. If them bonds were sold at 14½ per cent

premium, who got the $500,000 over and above what the state got? Keep your eye on the rat hole.

"The men who first proposed that bond sale never told us the amount of premium secured on the bonds in any statement they made during the discussion of this question last year. I file notice of priority in this discovery of a new discrepancy in the auditor's reports, involving another half a million dollars, and the men who engineered that bond sale had better hire these experts, before they get out of the state, to fix it up. The fact is, I hardly think they could have got 114½ in December of that year, but they could have got 114 or 113.9 and turned over half a million dollars more to the state than they did. The price they did sell at, according to the face of the bonds and the amount of money they turned into the treasury after the sale, was, approximately, 111.9, or a loss of $2 on every $100 of bonds sold.

"Now, why was such a sacrifice made, without any authority of the legislature of Missouri? It is dark in the rat hole, but we had better look a little farther into it.

STATE AND GOVERNMENT BONDS.

"The excuse that has been offered for the sale was that the government bonds were short-time bonds, having been called in by the government for redemption at an early day. But there were two payments of interest on the bonds, to be made between the date of their sale and that of their cancellation. Bear that in mind. Six per cent annual interest on $1,671,600, if you don't make a discrepancy in the counting, will be found to be a little over $100,000. The difference between the price the bonds went at, and the market price in the open market in December, 1875, was about $425,000—$425,000 less than the

market value for bonds, with two interest coupons attached, and which, within an hour could be sold for the full amount of their face, interest and premium, in gold, for at that time gold was being accumulated by the government for resumption. Say, it makes me blush in bed at night to think how Missouri was taken in and done for by Wall street on that deal. They just took us in and peeled us like a bannana, and then threw away the skin. This was done by Kohn & Co., of Wall street, who dealt with Dewitt C. Stone, a partner in the banking business of Maj. Harvey Salmon, who was then the state treasurer of Missouri.

"At that time the government was offering to exchange at par for such bonds as it was calling in 4 and 5 per cent bonds to run for thirty years. An exchange of the Missouri 6s for these was the thing to do, and we would have them yet, and would have saved that $425,000 we lost in dealing with Kohn & Co., and we would have been saving $70,000 annually which we have been raising out of the taxpayers every year in the interest we would be drawing on the face of them bonds. But Kohn & Co. were not through with us yet. They had to have another pull at our leg. Salmon and Stone told them the money received from the sale of the government bonds was to be invested in Missouri state bonds, and I guess they invited them out here to be in at the killing. Anyhow Kohn & Co.. of Wall street, were on hand, and the first sales of the new issue of state bonds were made to them, and they got them at less than par. Consult the reports of the auditor, page 242 of the 1885 issue, and you will find that the bonds sold by the fund commissioners went at less than par. Then turn over to page 255 and you will find that all the bonds bought by the state board of education

with the money realized from the sale of the government bonds, with the exception of $40,000, were sold at a premium. You will ask, of course, why the fund commissioners would sell Missouri bonds to Kohn & Co. cheaper than they would sell them to the state board of education, at a time when the plea was that the government bonds had been sold for the sake of the premiums in order to get as many of the state bonds as possible into the school fund. Hold on, now; don't be too fast, for you're going to hear the strangest thing you ever listened to, and which I could not have believed if Dick Shannon, who was superintendent of public schools at that time, hadn't said so himself. The state did not put in a bid for bonds until after Kohn & Co. had got about all there was for sale that year, and then they found out that they had to have them, and that they must have them right away. Kohn & Co., had cornered the market, but they offered to sell the state board of education what they needed at a premium. They had bought the bonds at about $988. They sold over 1000 of them to the state board of education for a premium of three-eights of 1 per cent and went back to New York with another clean profit of $150,000. The member of the firm who was in Jefferson City negotiating these deals stepped across from the fund commissioner's offices to the office of Supt. Shannon and made the dicker, and that night he left for New York. And if ever I meet him again I will say. "Shake, old man. You caught a sucker and you bumped his head, as you had a right to do, and Missouri is able to lose the $700,000 you rolled her for.' And if he should lean over in my ear and whisper, 'Maybe I didn't get it all,' I would ask no questions—for the honor of the state. I'd know that the rat had got in his hole and pulled the hole in after him.

AUDITORS AND EXPERTS.

"These experts have been hired to push it in, but I'll show you where it is befre they get it all away. Now they say that other states have school funds with certificates of the state's indebtedness to them as a basis of security. But where can they show me another state where a $2,000,000 fund in government bonds was sold out to make way for certificates? Every state but this, in which certificates have been issued, has had no other basis of credit in the fund. The crime of Missouri was in the deal involved in the sale of the government bonds and the purchase of the state bonds for the school fund, and the truth is just as sure to come out some day as it is the truth that I am not any of the individuals people take me to be. I call it a crime, for I believe it was one, but if it was a blunder, or a series of blunders, such blunders are worse than crimes.

"Before the experts get that hole all pulled in, on the installment plan, I am going to take another look in it. Allen is as shy on another point as he is in quoting the names of legislators who voted to sell the government bonds. He says the fund commissioners have been careful about the exercise of the power for the retirement of state bonds through the absorption of school moneys into the sinking fund. But their powers in that respect are unlimited. Allen quotes only part of the statute concerning these absorptions. The fact is, you know, that it was not until after they got into the certificate line of business that they began to see what there was in it for them. They kept on working a good thing for all there was in it, and I guess they're not near through yet, if they can keep in the saddle and the nag don't buck and throw them. Section 10,530 of the revised

statutes gives them the power to take out of the treasury 'any moneys, from whatever source derived, whether from grant, gift, devise or any other source, to be added either to the public school fund or the seminary fund of the state,' and expropriate it for sinking fund uses. And they have already exercised this power in more than one case. The treasury itself is open to them under the construction that the part of the state revenue set apart for the use of the schools is a part of the school fund.

RAT-HOLE AND RAT.

"And the man makes no mistake who concludes that the rat hole and the rat are the two things out of the hunting of which all this fire and smoke have come. Right there, in the sale of the government and purchase of the state bonds. are the two black seeds of this Jonah's gourd, which has spread over all the state. Corruption grows with what it feeds on. The Bourbons know it, and Dockery admits it in the claim that the auditors' reports do not include all of the financial operations of the state. That's so. You'll not find anything about the two deals with Kohn & Co. in them, except as it is put down in the figures showing the size of the transactions. What Dockery says, though, is that the auditor does not have to include all of the figures of financial operations of the state in his reports. That's a new one on me. I wonder was it one of the experts who put Dockery onto that, for, by the mass, no man of an ordinary mind would ever think of it, and Dockery, if left to himself, no matter how hard up he might be for a reason for the discrepancies, would ever think of that. I believe that must have come out of the brain of an expert who knows how to juggle figures, and nothing else. For what in the name of the Lord is an auditor

worth to a state if his reports do not include and set out all the financial operations of all the departments of the state government? Such an auditor would be like a bookkeeper that Si Farber, who used to run a mill up in Louisiana, had for awhile. He would take money out of the safe and not charge himself with it, but it wasn't long until Si found out what was going on, and he roared out one day:

"'See here, why don't you charge yourself up with that money, in the books?'

"'Why, Mr. Farber,' said he, 'these books are to show the condition of your business, and not mine.'

"Si Farber was a man who could always tell a miller by the inside of his hands when it was in the days of buhr mills, and no counterfeit could ever get a job with him. 'No matter how slick a feller can talk about milling,' he used to say, 'if the inside of his hands don't show the marks, he's a fraud.' Begod he was right, and that's the way to analyze these reports which are coming out on the installment plan. And Dockery can't show up the cracks in his hands when he says that the auditor is not under obligation to report the work of the fund commissioners and the fiscal agent. By the way, who is the fiscal agent of Missouri? Is it Kohn & Co.? But, never mind. Section 7491 of the revised statutes of Missouri says that the fiscal agent shall be appointed by the fund commissioners and that it shall be a part of his duty to certify both to the fund commissioners and to the auditor all the figures connected with the dealings of the bank, which is the fiscal agent, with the State of Missouri. It is, in that section, made mandatory upon the auditor to get from the fiscal agent of the state a full statement of the amounts of money received by the fiscal agent from the fund commissioners and expended for interest on

the debt; 'whereupon the state auditor shall credit the fund commissioners and charge the bank therewith.'

STATE FINANCIAL REPORTS.

"If that isn't opening an account between the auditor and the bank which is the fiscal agent of the state, you couldn't open one with a crowbar. If that statute can't put the auditor and the fiscal agent to doing business with each other, I don't know what could. And as to the business relations of the fund commissioners with the auditor, section 7490 says that the fund commissioners shall draw their warrant on the state auditor for every dollar of interest on the public debt that is to be paid out. I rather think the constitution and laws of Missouri have made it impossible for the auditor to go out of business with the fund commissioners and the fiscal agent, or with anybody else who handles the cash of the state. Why, lookee here, 'sposen' it's true, as Dockery says, that the auditor's reports don't cover all of the financial operations of the state, how long would it be until, in the course of human events, you would get an auditor and a treasurer together who would say: 'This is a dead easy game for us if we work together, for if there's anything wrong in the books the governor can tell the people that the books are no good and can't be relied on to show the condition of the public funds.' Say, that would be pie for the men on the inside, but the men who made the constitution and the laws of Missouri saw it all just as plainly as I see it now, or as any sensible man can see it when he shuts his eyes and imagines he sees an auditor who is only responsible for a part of the state's book-keeping.

"Who is responsible for the other part? That's a mighty big question right now if Dockery is going to

stick to his point. Where are the reports of the fund commissioners and of the fiscal agent published? I guess they're published about like the reports of the treasurer as to the money in the vaults were published until this last month. You know the constitution says that the treasurer shall make a monthly publication of the cash on hand in the various funds. For several years back they have concluded that writing it out on a piece of paper and sticking it up on a wall of a statehouse corridor would meet the legal view of publication. But since work was suspended so long on the Farmington asylum, after the appropriation was made to do it, an idea has got around the state that them funds were loaned out, and I'll be cussed if I don't think they were at that. They made a big hurry up to get them in, though, and last month the statement of the funds in the treasury was given out to the newspapers for the first time in many, many long moons. All of the Farmington money is accounted for. But why couldn't it have been done before?

THE "DAMNED" REPUBLICANS.

"Things like that, when a man begins to find them out, make him sorry that he ever voted for the party, but they're not a-patchin' by the side of the way he feels when he strikes this talk of minority responsibility, or the way the Republicans have done them up. Say, I don't like to belong to a party that owns up so often that it can be done up by other one. As I expected, they have got it down that all the mistakes in bookkeeping occurred under Republican administration, and that the Republicans worked off several gold bricks on us when they turned over the books. We didn't see what we were getting, and didn't find out what we had got until thirty years

after we had had it and been handling it, and now we have found it out and would give hell to the men who played the trick on us if they weren't all dead. I wonder if Kohn & Co. is dead yet. The way the Democratic party of this state has been imposed upon is something awful. Wall street knocked our eye out for something like $700,000, and only a little while before that the Republicans had turned over a lot of phony books to us with a job lot of discrepancies in them, and figures that can't be made to balance, and we took 'em and give the Republicans a clear receipt.

"And they're after us yet. Sam Cook says it was the Republican minority that run that bad legislature in 1899, in which so much mischief was done, and in which the lobby was so powerful. It has been charged by two of the Democratic members of that legislature that the Democratic state central committee was a part of the lobby, and did most of its work, and as Sam was chairman of the committee at that time, the remark is personal to him. But, after all, says Sam, it's the Republican minority that is responsible for all the devilment done at that session. The Democrats elected Cockrell to the Senate that year. They elected Ward speaker of the house, and they appointed the chairman of every committee in the house and senate, but after all that was done, says Sam, the Republicans come a-bilin' up, and run the whole shootin' match from that time on. If you want to end the lobby, says Sam, end the Republican minority.

"I'll be darned if that ain't good advice. Make a swap of parties. The Democrats say that a minority can run a legislature better than a majority. Well, then, if you want things done, put your party in the minority. Let's get in the minority and put the

Republicans in the majority, and then we'll have 'em right where we want 'em. Give them the senatorships and speakerships and the chairmanships, and we'll take the minority and make the laws. Maybe we can get something done that way.

"But a good many of the old-line Democrats in the state, who are thoroughly inoculated with the old Democratic doctrine of party responsibility acting through majorities, can't catch on very easy to the idea of having to get in to the minority in the legislature to get something done. A good many of them are beginning to feel like Joab Watkin's wife, who used to live near Gaines' mill, in Laclede county, Joab came home one day with his nose and his lip split open, and both of his eyes blackened, and he had to own up that the thing had been done by a man about half his size.

"'Joab,' said his wife, 'I know you're an awful liar, but I married you because I was shore you could whup that feller who ain't morn'n half of you. Good-by.'

"Things are coming too fast for lots of them. Sam Cook's story of the Republican minority running the Democratic majority in the legislature isn't a week old until this one comes out of the Republicans putting off a lot of bad book-keeping on the Missouri Democrats that they didn't find out for thirty years, and when they read this true story of mine about how the Missouri Bourbons were worked by a Wall street house, and skinned in a coon trap that cotched 'em both comin' an' goin', they'll go out behind the house and ask: 'Are we as green as we look?' and most of them will kick themselves and answer, 'Not by a darned sight.'"

INDEX.

INDEX.

INDEX.

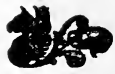
S


I am Missouri
that run to the s
lands and pl
grains. My
my uplands,
fruits of
my
peo
har
y gr
m
of fi
land
fea

OLILOQUY OF A SOVEREIGN STATE.

[From Missouri State Republican.]

Missouri State Republican



AND

State Republican Campaign Book.

ø ø ø

RECOGNIZED AUTHORITIES

On Affairs of State

ø ø ø

Complete and Official Record, as Far as Available, of the Government of Missouri.

ø ø ø

PRICE: { PAPER, ONE DOLLAR PER YEAR.
CAMPAIGN BOOK, FIFTY CENTS.

Missouri State Republican

AND

State Republican Campaign Book.

RECOGNIZED AUTHORITIES

On Affairs of State

Complete and Official Record, as Far as Available, of the Government of Missouri.

PRICE: { PAPER, ONE DOLLAR PER YEAR. CAMPAIGN BOOK, FIFTY CENTS.